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PRESIDIO RESTORATION ADVISORY BOARD MEETING

**ORIGINAL**

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, JANUARY 12, 2010  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

## 1 ATTENDEES

2 RAB Members:

3 Doug Kern, Facilitator

Mark Youngkin

4 Eileen Fanelli

Brian Ullensvang

5 Denise Tsuji

Agnes Farres

6 Peter O'Hara

Jan Blum

7 Julian Hultgren

Gloria Gee

8 John Budroe

Edward Callanan

9 John Chester

Barbara Newton

10 Toni Kramer

Jim Ketcham

11

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14

15 BE IT REMEMBERED that, pursuant to Notice of the  
16 Meeting, and on January 12, 2010, at the Officer's Club,  
17 Building 50, Presidio of San Francisco, California,  
18 before me, MARK I. BRICKMAN, CSR No. 5527, State of  
19 California, there commenced a RAB meeting under the  
20 provisions of the Presidio Trust.

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1 FACILITATOR KERN: I'd like to welcome  
2 everyone here tonight. This is the regularly scheduled  
3 RAB meeting, Restoration Advisory Board meeting for the  
4 Presidio San Francisco January 2010. I hope everyone had  
5 a great holiday season and everybody's returning well and  
6 energized for a few year.

7 Just as a note. We're -- as we're headed  
8 towards April, we will be completing our 16th year as a  
9 group and headed into our 17th year.

10 I'd like to welcome tonight the Presidio  
11 Trust and the National Park Service, our regulators from  
12 the Department of Toxics and the Water Board.

13 Thank you for being here tonight, and all  
14 of the community members, thank you for coming tonight,  
15 and any members of the public in the audience.

16 Are there any additions or changes that  
17 anybody sees to the agenda for tonight? Seeing none,  
18 we'll move on.

19 Any announcements or old business?

20 Very good. Committee business. It's been  
21 a while since we had --

22 MR. YOUNGKIN: No committee meeting.

23 FACILITATOR KERN: No committee meeting in  
24 December, and we probably reported on the previous  
25 committee meeting at the December RAB meeting, so --



1 MR. YOUNGKIN: It's hard to remember.

2 FACILITATOR KERN: Yes. It was last year,  
3 so last year.

4 So we're on to item number 5, our reports  
5 and discussions, and we've got down here an construction  
6 update. Let's check in with Eileen on what's happening  
7 with --

8 MS. FANELLI: I have a few slides, as  
9 usual, and so the order I actually have them in is A. I  
10 have some slides of the work at fillsite 1, landfill 2.

11 I have a little bit of information on the  
12 report that was submitted yesterday to DTSC on the  
13 assessment of potential impacts to the riparian habitat  
14 at Lobos Creek, and I guess this was old business, but  
15 there was a question about the costs accumulated to date  
16 under the RAB project number, and I have a little detail  
17 on that, and it's all in this little presentation..

18 So I'm happy to just go through it or stop,  
19 however you want, in whichever order. Okay.

20 FACILITATOR KERN: Okay.

21 MS. FANELLI: Okay. So that's what I said  
22 I was going to do.

23 Landfill 10 is not paved, but everything  
24 else is basically complete up to this point. So that's  
25 substantially complete.

1 Over the last month here -- this was taken  
2 right before Christmas on the 21st. You can see forms on  
3 the top deck being constructed. These are for the curbs  
4 and gutters in the parking lot. Those are the storm  
5 water inlets on the inside.

6 Let's see if I can see those. Yes. So  
7 there's the rebar, rebar reinforcement for the gutters,  
8 the curb forms, and these are the inlets.

9 This is actually the foundation. This is  
10 not remediation work. This is Planning Department work,  
11 but this is the foundation pour for the overlook that  
12 will be at the center of the landfill.

13 MS. KRAMER: I have a question. Are those  
14 bioswales in the middle?

15 MS. FANELLI: We call them the bioswales.  
16 I actually like to call them storm water collection  
17 systems, but they are bioswales.

18 So there's two catch basins for sort of the  
19 equivalent of drop inlets if there's enough water coming  
20 in, but the majority of the water's supposed to flush in  
21 from the parking lot into this soil area, and then  
22 infiltrate into passive treatment.

23 If it comes in fast and furious enough,  
24 then it will discharge into these drop inlets directly.

25 These are connected to the San Francisco

1 sanitary storm sewer system.

2 FACILITATOR KERN: Can you point with the  
3 curser how water -- which way would it be going? How  
4 does it get over the curb? Or maybe it doesn't get over  
5 the curb.

6 MS. FANELLI: The curbs are broken, so  
7 there's actually like a foot and then a six inch gap and  
8 then a foot and then a six inch gap. I'm Sorry. I need  
9 to get a better pointer, because my little mouse thing  
10 here isn't working.

11 Let's see if there's a picture of the curb  
12 pour that looks broken.

13 They're solid around the edge so nothing  
14 can flow down the slope, right? Nothing can flow down  
15 the slope, and these are broken.

16 You can see sort of these blocks in  
17 between, and there'll be actual spaces that will allow  
18 water that's cheating this direction to enter into the  
19 bioswale and then they'll be planted, and that's the  
20 overlook.

21 MR. O'HARA: Question. Just from an  
22 operational standpoint, if you have water that is coming  
23 off the surface of the parking lot going into a  
24 bioswale --

25 MS. FANELLI: Yes.

1 MR. O'HARA: -- are you not opening  
2 yourself to take in oil into the soil?

3 MS. FANELLI: Right. That's the idea.  
4 The soil itself is supposed to be a passive treatment  
5 system so that it actually will remove some of the  
6 sediments and impurities prior to its discharge into the  
7 San Francisco storm sewer system.

8 So they are designed actually to do that.  
9 We want it at the first flush. It's considered a best  
10 management practice, and it's accepted by the San  
11 Francisco PUC for parking lot design. So it is designed  
12 to function that way.

13 MR. O'HARA: Well, at the bottom of the  
14 swale, is there then some sort of inlet into the sewer  
15 system?

16 MS. FANELLI: Yes.

17 MR. O'HARA: There is. So it's channeled  
18 into the sewer system as it percolates down?

19 MS. FANELLI: It percolates down, and then  
20 it will ultimately get into the gravel and into the  
21 drains that are connected all through the parking lot  
22 underneath the subsurface and into the storm sewer  
23 system.

24 MR. O'HARA: So these bioswales are lined?

25 MS. FANELLI: They are lined.

1 MR. O'HARA: Okay.

2 MS. FANELLI: Actually, I had photos of  
3 them last month, and I will try to get those posted up  
4 when we get our environmental correspondence page up and  
5 running. I need an update on that later.

6 MR. O'HARA: Thank you.

7 MS. FANELLI: And then you can peruse  
8 them.

9 Okay. This is just a picture of the slope,  
10 and what you can see at the base is we had begun to place  
11 the sand that's at the bottom.

12 This is the southern -- excuse me, yes.  
13 The southeastern corner where they are placing some of  
14 the final jute matting and materials.

15 MR. CHESTER: I had a question on that  
16 photo. There's a -- I think it's the blue Baker tank on  
17 the right.

18 MS. FANELLI: Yes.

19 MR. CHESTER: What was that used for?

20 MS. FANELLI: The Baker tank was there as  
21 part of our plan. So when this area was not covered with  
22 soil and it was covered with waste, we had a little  
23 holding pond.

24 One of the concerns back in the main storm  
25 event is that we did have some materials that washed out

1 up here, but then there was also some overflow here  
2 before we got the curb and gutter support.

3 So getting the curb and gutter support made  
4 a big difference for us, but we had the silk fence. We  
5 had this row here of rice base and we actually had a  
6 little pond here.

7 So if we got a big enough event, we had a  
8 pump here that would pick that up and pump it to the  
9 Baker tank.

10 Fortunately, we never actually used the  
11 Baker tank. We never had bad enough storms after the  
12 October event. It is now gone. This area is now covered  
13 with the soil, the cover soil and the fabric is in place.

14 MR. CHESTER: Thanks.

15 MS. FANELLI: This is landfill 8 looking  
16 very ugly and dreary. One of the things that the  
17 contractor is -- we're going to be sending stuff to a  
18 dump that we're not using. A lot of it is excess  
19 concrete, we didn't need it, so that's going offsite.

20 This is -- oh, here you can see the breaks.  
21 Can you see the breaks in the curb?

22 So when the final grade is -- asphalt is  
23 poured, that water's going to sheet flow across and enter  
24 the bioswales through those breaks in the curb.

25 FACILITATOR KERN: So where those guys are

1 kneeling now, that will be built up?

2 MS. FANELLI: Yes.

3 FACILITATOR KERN: Okay.

4 MS. FANELLI: And at this point, it does  
5 have this final -- I did not go out there today, but it  
6 has its aggregate bases in place, and we are scheduled to  
7 pave next Wednesday, weather dependent. So if it's rainy  
8 and wet, we can't do it.

9 We have a couple of restrictions. It can't  
10 be raining and it has to be above 50 degrees for us to  
11 put the final asphalt down.

12 And there's a -- more of the curb and  
13 gutters. But you can get a good sense here now I think  
14 of the final grade and how it looks -- how it's very much  
15 different than what it was.

16 So you can see the Weinstock's house, for  
17 example, and basically the lower floor is almost not  
18 visible anymore because we've raised that grade about ten  
19 feet.

20 This is dramatic picture of the erosion  
21 control covered slope.

22 FACILITATOR KERN: What is your thinking  
23 about the planting time frame? When do you think that  
24 will be?

25 MS. FANELLI: The I think the planting's

1 going to happen pretty short here. The trust is  
2 responsible for planting certain portions of it and the  
3 Park Service for others, and we're moving ahead on sort  
4 of final agreements of what we're going to do, but we  
5 do -- I think you recall's going to begin some toe  
6 planting work and I know we're going to do the top deck  
7 and we're just working out some final issues with the  
8 actual slope. But I think it's in the next several  
9 months, you're going to see plants start going in.

10 MR. ULLENSVANG: I would hope before  
11 several months.

12 MS. FANELLI: We're going to go in over  
13 time, probably, in a couple of phases.

14 MR. ULLENSVANG: I think pretty rapidly.

15 FACILITATOR KERN: It seems like during  
16 the wet season --

17 MS. FANELLI: When you want to have it in,  
18 yeah.

19 FACILITATOR KERN: Good.

20 MS. FANELLI: This is just a close-up next  
21 to the Weinstocks' house. What we basically did here --  
22 if you remember, this was kind of an improvement for  
23 them, because this soil used to come directly against  
24 their foundation. So even though they never complained  
25 about water in their basement, the slope was pitched so



1     that that problem existed.

2                     So basically it's now sloped this direction  
3     and this direction into this small swale that then leads  
4     down.

5

6                     MS. BLUM:     Eileen, is that just going to  
7     be a natural swale or will it have some concrete in it?

8                     MS. FANELLI:     No.  It's done other than  
9     the plantings.  This is just its final configuration.

10                    And this is the very lower portion of that  
11    upper -- of the upper reaches of Lobos Creek where  
12    it's -- it's -- there's not a permanent water.  It's  
13    efemoral.

14                    It takes runoff, basically, and there's  
15    erosion control now.  It covers the majority of -- it  
16    covers all of it, plus a little bit more, of the shear  
17    toe trench area.

18                    MR. ULLENSVANG:     Mm-hmm.

19                    MS. CHEEVER:     It's permanent, but will it  
20    be there when the planting is finished and grown up?

21                    MS. FANELLI:     Yeah.

22                    MS. CHEEVER:     What is the permanent part?  
23    Because the jute won't still be there.

24                    MS. FANELLI:     The jute and the wattles  
25    will stay there until they naturally decompose and

1     degrade.

2                   And this is putting in the final bit of  
3     sand at the toe, and that is now complete. So basically  
4     the work along the slope is done at this point in time.

5                   MS. BLUM:    Has that telephone pole always  
6     been there?

7                   MS. FANELLI:   It has always been there.

8                   MS. BLUM:    Buried by the trees.

9                   MS. FANELLI:   It was hidden by the trees.  
10    I think there might be some work in the future with the  
11    telephone pole. Our work didn't disturb it, but it  
12    exposed some of its flaws and limitations, and I  
13    believe -- I'm not positive, but I believe it's jointly  
14    owned and operated by PG&E and the Trust. I'm not sure.  
15    Our crews do go out there.

16                   Raking sand at the toe, and there's some  
17    more soil now going into those BMPs -- the final bit of  
18    soil into the BMPs, and a good view of the concrete  
19    allowing the water to flow, and a nice view of the Public  
20    Health Services Hospital in the back.

21                   You can still see our -- our sand at graded  
22    area 9 in the far -- in the far back there, and that will  
23    eventually be gone in the next month.

24                   This is the walls for the overlook. It's  
25    just an interest picture. So the overlook is designed

1 sort of as a straight wall with a platform and a path  
2 that leads down to it. A simple structure, and that's  
3 the forms for the back wall.

4 That was my last picture.

5 So our schedule is to complete pavement of  
6 the parking lot and trails. It's weather dependent, but  
7 we're hoping that's going to happen. If we get a real  
8 wet week next week, it probably won't happen. It will  
9 probably be the week after.

10 We're not at the whim of the weather  
11 anymore. We have a good ag base.

12 They will be moving to landfill 8. We  
13 still have that critical piece of getting the pavement on  
14 landfill 10 so that the cars that we've temporarily  
15 stored at 8 can move and we can finish that area up, and  
16 then GA sand will be the last thing that we spread.

17 That's an update on landfill 10 and four  
18 PHSH sites.

19 Yes.

20 MS. CHEEVER: Is there a plan to put the  
21 jute on top of the toe of landfill 10?

22 MS. FANELLI: On top of the sand?

23 MS. CHEEVER: On top of the sand.

24 MS. FANELLI: No.

25 MS. CHEEVER: The last time I was there on

1 Sunday, it seemed like on the bottom of the slope had  
2 left jute on it.

3 MS. FANELLI: They had rolled some of it  
4 to put the final bit of sand down there.

5 MS. CHEEVER: Okay.

6 MS. FANELLI: They're going to roll that  
7 back. There is some erosion in there, wattles that are  
8 parallel to the upper slopes. But the sand won't be  
9 covered with jute netting.

10 MR. O'HARA: Eileen, when you do your  
11 plantings on that slope, you just punch through the  
12 matting to -- to --

13 MS. FANELLI: That's correct.

14 MR. O'HARA: Okay.

15 MS. FANELLI: They will cut the matting  
16 and then put the plants in.

17 MR. O'HARA: Okay.

18 MS. FANELLI: And then pin the mat back  
19 down around it.

20 MR. O'HARA: Right.

21 MS. FANELLI: Regarding fillsite 1,  
22 landfill 2 tree removal. The trees are felled. I'm sure  
23 a lot of you have taken a look at it and think it's  
24 pretty traumatic looking for many people, and it seems  
25 like he felled the trees and our contractor went away.

1                   He did not go away. He's working on the  
2   access road. I have some photos of that. If you've been  
3   out there in the last week, you can see that he's been  
4   stacking trees and beginning to process them to haul them  
5   offsite.

6                   In terms of our Remedial Action Plan for  
7   that site, the final data report was issued on January  
8   6th and we're responding to comments from DTSC, and I  
9   know that you guys were copied on it.

10                  It's probably too large for us to e-mail,  
11   like I e-mailed an earlier report today, but if anybody  
12   else would like a copy of it, I will try -- I'll make a  
13   note to try to get our correspondence page back up so  
14   that you guys could -- could see it. Anyway, that's our  
15   final.

16                  The preliminary draft is going to be  
17   issued. Genevieve has promised me by Monday. It will be  
18   copied to the Regional Board and the RAB, and it's the  
19   preliminary draft document, and it will reflect basically  
20   the information and the final data report. So you should  
21   look for that next week.

22                  Okay. Let's see. Not such a good picture.  
23   This is the temporary access road. We did have a lot  
24   of -- the contractor had a lot of problems with it  
25   because they unfortunately let it get wet earlier on, and

1 so they never really got their compaction and it took a  
2 few extra days and they actually had to remove some  
3 material, bring in some fabric and some additional rock,  
4 but now it's good.

5 This gives you an idea of sort of the  
6 dramatic change. You can see -- probably better if you  
7 walked out there, but there's big piles of trees that are  
8 just felled and lying there. The contractor is now  
9 organizing those and getting ready to process them.

10 That's a more dramatic picture. You can  
11 see. That's next to -- it's above El Polin Springs.  
12 That's Paul Goode Field in the upper right-hand corner,  
13 and that's the pathway that sort of led up.

14 So we're working through that and we are  
15 grinding stumps. There was a question of whether we were  
16 going to do that, but we've made the decision to grind  
17 stumps as we go along.

18 So that's happening, as well.

19 MS. KRAMER: And what are the trees -- you  
20 say being processed.

21 MS. FANELLI: They basically chip them and  
22 they haul them offsite, and they go to the equivalent of  
23 a power plant that burns organic matter and waste debris.

24 MS. KRAMER: Mm-hmm.

25 MS. FANELLI: There's another foggy

1 picture of downed trees and branches, et cetera.

2 MS. BLUM: Has the Trust had any calls  
3 from shocked residents?

4 MS. FANELLI: Actually, not very many at  
5 all. We did a very extensive outreach program where we  
6 had six public walks and at least two walks specifically  
7 for local residents and four public walks for invitees  
8 and people, and I attended the majority of them, and then  
9 we also have two project information coordinators that  
10 have been actually out on the trail full-time since the  
11 work began, and they are informing people and letting  
12 people know.

13 And I even know one sunny I happened to be  
14 looking at people stopped at Inspiration Point and heard  
15 a comment from a visitor and was able to tell them what's  
16 going on.

17 So there's been a lot of outreach and we  
18 have not had a lot of negative comment.

19 Maybe a little buyer's remorse. Once the  
20 staff people at the Trust saw what had happened, I think  
21 they were a little shocked, particularly Peter, because  
22 Peter -- Peter Ehrlich, our foresters saw these trees  
23 down and that was a little traumatic.

24 You can see it's kind of muddy. They're  
25 bringing in more rock to maintain those roads, et cetera,

1 and make sure we don't have a problem.

2 MS. BLUM: Will they be taken out once  
3 it's completed?

4 MS. FANELLI: Yes. We'll actually leave  
5 the temporary roads in, but then we'll take it out.

6 This is a good picture of the temporary  
7 road. You can see some fabric went down and some rock.  
8 You can see how close it is to our residents.

9 This is on Quarry Road, and what the drill  
10 is doing there now is we're putting in a sound barrier,  
11 privacy barrier and they're drilling the supports for  
12 that.

13 MS. BLUM: How tall is that going to be,  
14 Eileen?

15 MS. FANELLI: I don't know the exact  
16 height, but I believe it's going to cover at least close  
17 to the roof line --

18 MS. BLUM: Okay.

19 MS. FANELLI: -- of the house.

20 This is the roof somewhere along Quarry  
21 Road, Quarry Trail. Another picture of the road going  
22 in. You can see it's looking a lot better.

23 Where we have cut slope and fill slopes,  
24 you can see. At this point, we had fabric on that to  
25 minimize erosion and keep sedimentation from occurring.



1 Another view of the opposite direction.

2 Some of the cleaned up areas as the  
3 contractor's begun to stack up their logs and get them  
4 ready for processing.

5 And that's what I have on fillsite 1,  
6 landfill 2.

7 MR. YOUNGKIN: Find anything interesting  
8 and unexpected?

9 MS. FANELLI: They have not, and we did  
10 have -- for the first several weeks while they were  
11 cutting the road, we had full-time UXO specialists onsite  
12 inspecting.

13 The -- we did not find anything. We did  
14 not find anything, which is good.

15 I think they will come back when we do the  
16 excavation of the waste material, which is on landfill 2.

17 MS. BLUM: Have you found now that you're  
18 in what is considered more of full construction mode that  
19 the tenants and visitors to that area are less likely to  
20 try to circumvent your do-not-go-through-here signs?

21 MS. FANELLI: You know, I don't have any  
22 hard numbers on that, but I do have fewer reports and  
23 complaints from -- through Ryan of people trying to  
24 trespass through.

25 MS. BLUM: I think it would be a major

1 safety concern at this point.

2 MS. FANELLI: Yes, it is. We're a little  
3 bit harder nosed about it.

4 MS. BLUM: Is the Trust indemnified  
5 sufficiently against someone who decides that they can  
6 manage to get through there regardless?

7 MS. FANELLI: We believe so. You know,  
8 it's properly signed. A lot of warnings have gone out.  
9 Okay.

10 MS. KRAMER: Is all the erosion control  
11 down for this?

12 MS. FANELLI: Not for the final stuff.  
13 This is just during construction, and there will be final  
14 materials placed when they're done and they leave.

15 The tree contractor will have a lag period  
16 before we actually start up with the mass excavation.

17 So not all of the erosion -- the final  
18 erosion controls are done. Some of it will be field  
19 design.

20 When we see what they've left and what the  
21 site looks like and where the grades are falling, then  
22 we'll direct the contractor where we want additional BMPs  
23 placed, whether it's fabric or wattles or check dams or  
24 whatever it happens to be.

25 FACILITATOR KERN: I think that will be

1 really important as some of those drain right down into  
2 the El Polin Springs area, and then that drops right into  
3 the underground pipes which go --

4 MS. FANELLI: Yes.

5 FACILITATOR KERN: -- right to the creeks  
6 which go right to the marsh and the bay.

7 So if we get a big rain -- and I guess I've  
8 been visualizing when they drag these trees out, they  
9 could kind of scar things up.

10 So we're going to put stuff down after they  
11 remove all that?

12 MS. FANELLI: Mm-hmm. That's correct.

13 That is correct, and we -- we'll be working on that final  
14 design, and we are coordinating with Regional Board and  
15 asking their expertise to come out and review our plans  
16 on what we do.

17 Okay. So the other item that I know is of  
18 interest is -- we submitted yesterday the technical  
19 report, which is the assessment of impacts to Lobos Creek  
20 habitat, and I did e-mail the entire RAB a couple of them  
21 this afternoon, and you might have already distributed it  
22 to everybody, and it was done in response to the MOB.

23 It was a regulatory requirement that it be  
24 submitted yesterday.

25 So the purpose of the assessment was to

1    assess potential habitat impacts from sediment deposition  
2    from the two October rain events in particular.

3                    We actually as part of that characterized  
4    the chemical composition of the sediments that had been  
5    deposited, and then using the distribution of the  
6    sediments and the chemical characterization, we assessed  
7    the potential impacts to sensitive wildlife and aquatic  
8    species.

9                    The scope of work basically included some  
10   site reconnaissance by restoration ecologists from H.G.  
11   Harvey & Associates.

12                   They initially mapped the extent of  
13   sedimentation and qualitatively assessed the types of  
14   vegetation present using existing documentation and  
15   expertise at the Trust and the Park Service.

16                   After that, we also had a -- they had a  
17   wildlife ecologist, a separate person go out and do a  
18   survey and evaluate potential impacts to wildlife.

19                   Based on the distribution of sediments, a  
20   sampling plan was developed, and those sediments were  
21   sampled. They were sampled by an engineer from ZCS, and  
22   then they were analyzed for the COCs associated  
23   specifically with the landfill 10 site.

24                   So all of that describes -- in a nutshell,  
25   our findings were that the majority of sediments did not

1 appear to have reached Lobos Creek. They were deposited  
2 in the upper efemoral reaches, the near reaches within  
3 the riparian corridor.

4           There were two deposits that were in the  
5 efemoral portion of the creek in the upper reaches, and I  
6 think we might have talked about those before in one of  
7 our meetings, and those were removed prior to the  
8 sampling, and Sue Pritski of the Park Service was out  
9 there and directed that with Ryan Seelbach and the  
10 contractor when that happened.

11           There were about fifteen additional surface  
12 deposits that are identified in this report that were  
13 mapped. The primary texture was sand.

14           There were a few deposits that had a  
15 primary texture of silt. Those deposits were very  
16 similar in nature to the texture of the existing soils  
17 and sediments, and the ultimate conclusion was that  
18 texturally, they did not pose an impact or affect the  
19 functioning of the riparian corridor.

20           They were generally in a stable  
21 configuration. They were small and they were in areas  
22 where they had been trapped, and it was unlikely that  
23 they would have a future potential to mobilize in a way  
24 that would affect the creek in a significant manner.

25           The sampling was done. I think there were

1 seven samples collected all total. No chemical evidence  
2 of landfill debris in that sediment, and H.G. Harvey  
3 made, based on their review -- there's a lot of details  
4 in the actual report that you should read, but there was  
5 no significant impact to flora or fauna of the corridor.

6 So the report does not recommend or  
7 identify any future actions, but that report is now under  
8 review by Regional Water Quality Control Board.

9 FACILITATOR KERN: I have not read the  
10 report.

11 Can I -- can we ask a few details even  
12 though I should actually read the report before I --

13 MS. FANELLI: You can, and if I can answer  
14 them, I will. If I can't, I'll let you know.

15 FACILITATOR KERN: All right. When it  
16 says that some of these areas were mapped, can you give  
17 us an idea? Would the deposits be like the size of the  
18 table or this big? How big was it?

19 MS. FANELLI: They really ranged. There's  
20 a figure in this draw -- in this report, and they range  
21 from very, very small to large, larger, and what H.G.  
22 Harvey did was basically measure their square footage of  
23 these different deposits, and they talk about their  
24 methodology, how they found the access, and they did  
25 little tests to determine how thick it was.

1                   On average, the sand that was deposited was  
2   three inches in places. They estimate the total surface  
3   area at about 1,700 square feet.

4                   At three inches, they can calculate a  
5   volume, so that's basically how they did it.

6                   FACILITATOR KERN:   That's the average of  
7   all the different --

8                   MS. FANELLI:   Right.

9                   FACILITATOR KERN:   -- deposits?

10                  MS. FANELLI:   It varied from an inch or  
11   less to greater.

12                  FACILITATOR KERN:   So what was like the  
13   maximum?

14                  MS. FANELLI:   The maximum was in the two  
15   areas that were removed, and the maximum was about six  
16   inches in those upper reaches.

17                  So those two to six and four to five, those  
18   two were removed, and then the other areas were  
19   primarily -- well, they really vary, and I'm holding up  
20   this figure.

21                  You can't guys can't see it, but if you  
22   look at this table, you can see the areas and how those  
23   deposits were measured.

24                  FACILITATOR KERN:   Again, I apologize. I  
25   have not read it, but I'm just kind of getting general

1 ideas.

2                   It seems to me that if you were going to  
3 look for contaminants in -- in sand versus silt versus  
4 the smaller -- the smaller the particle, the logic to me  
5 would be the contaminants would be more attracted and  
6 more attached to smaller particles.

7                   Like you can imagine coarser sand and stuff  
8 just kind of floats through that and doesn't really  
9 attach to it.

10                  Can you describe what the sampling was in  
11 the -- like was it coarse sand versus sand versus silt  
12 versus clay or did they characterize it that way?

13                  MS. FANELLI: The primary deposits were  
14 sands, not silts. So where they found -- they sampled  
15 all types of deposits. So they sampled the silt, the  
16 smaller fraction deposits, as well as the coarser  
17 fraction deposits.

18                  So their observations of the texture was  
19 there was not a lot of silt deposited upstream. They did  
20 sample those silts that they did identify on the map.

21                  Does that answer your question?

22                  FACILITATOR KERN: Well --

23                  MS. FANELLI: There weren't a lot of silts  
24 sampled.

25                  FACILITATOR KERN: I understand that.



1 MS. FANELLI: Finer textures.

2 FACILITATOR KERN: I guess -- I'm just --  
3 again, I'm trying to have this conversation in front of  
4 everybody and I'm just off the top of my head with -- I'm  
5 going back to the report that there was some detectible  
6 lead that wasn't above the cleanup levels in the -- when  
7 they were sampling during the turbidity event, during  
8 those days when -- at the treatment plant.

9 It seemed like there was detectible lead  
10 below cleanup levels in the water all the way down at  
11 the -- the intake into the treatment plant.

12 So what I'm thinking is this very fine  
13 particulate lead being spread throughout Lobos Creek and  
14 dropping out in fine particles in silt deposits, and I  
15 understand you said there were maybe just a couple of  
16 those versus most of them are sand. That would be one  
17 area that I would want to look.

18 So I guess my question is: In the two  
19 areas where there was silt, did they sample those and did  
20 they find detections of anything besides an addition of  
21 lead? We had benzopyrene or burn products that were part  
22 of the landfill 10.

23 MS. FANELLI: They did sample for the  
24 COCs, which included lead, and they did not find anything  
25 that would suggest -- anything above any level of cleanup

1 level, I guess eco levels.

2 And nothing that seemed to be anywhere near  
3 the magnitude of the lead that was in the waste debris in  
4 landfill 10.

5 FACILITATOR KERN: I guess if I were to  
6 ask another question, was it -- was it detected at all?  
7 Lead or BMPs --

8 MS. FANELLI: I don't think we ever get  
9 non-detects on most metals.

10 FACILITATOR KERN: Well, lead is a  
11 different story in Lobos Creek.

12 MS. FANELLI: Well, you know, I guess I  
13 want to go back and respond to your first comment on --  
14 that we had a detection of lead at the intake when we  
15 sampled after the event for turbidity.

16 Indeed we did, but it was actually at the  
17 same level that we had historically detected lead when  
18 the treatment plant does its normal testing at the intake  
19 for its Department of Health Services permit.

20 So lead in the raw water, which we would  
21 call raw water in that case, has historically detected  
22 lead in it. It has not historically been non-detect at  
23 the intake.

24 FACILITATOR KERN: There was no difference  
25 in the turbid water versus clear water?

1 MS. FANELLI: I don't believe so.

2 Normally I think what we detected was 1.2 parts per  
3 billion. I think their normal detection is one part per  
4 billion.

5 So we were at the exact -- basically at the  
6 same level as normal, and we did sample with higher  
7 turbidity than where they normally sample.

8 They do use different methodology for their  
9 chemical analysis under the DHS permit, because you use a  
10 different set of test methods for raw water than for  
11 potable use, and we used the same test method that the  
12 Department of Health Services dictates for raw water when  
13 we did our analysis.

14 So there was not a significant difference  
15 at that point, but we did that one sample point, and that  
16 point was done purposefully so that our water treatment  
17 plant operator was comfortable turning the plant back  
18 on --

19 FACILITATOR KERN: Sure.

20 MS. FANELLI: -- to run it.

21 And it was non-detect for the benzopyrene  
22 in that turbid sample.

23 MS. KRAMER: How was the consultant  
24 selected who prepared the report?

25 MS. FANELLI: The assessment?

1 MS. KRAMER: Yes.

2 MS. FANELLI: How were they selected.

3 They have been our biological sub for all of the landfill  
4 10 work and for the planting work.

5 They are an eco firm. They're restoration  
6 ecologists and biologist, H.G. Harvey and they were a sub  
7 to SCS when we initiated the project.

8 So we had them go out in the time frame we  
9 had to do the assessment.

10 MS. BLUM: I had a question about -- on  
11 page 9. You said apart from the deposit, 16 and 17. No  
12 visual signs of sedimentation were observed during the  
13 survey to create landfill 10 downstream to Lincoln  
14 Boulevard, and prior to that, you had cleaned up 16 and  
15 17, which apparently were the problematic areas where  
16 there was contamination in the upper efemoral reaches of  
17 the creek.

18 MS. FANELLI: There was no contamination  
19 in 16 and 17. It was just larger sand deposits in the  
20 efemoral portion, basically in the creek channel, and we  
21 had temporarily put sand bags below it to keep it from  
22 washing into the creek.

23 So that was removed so that we would not  
24 get anything discharged downstream.

25 But we didn't actually sample it, but that

1 material was removed and was taken up to the top deck,  
2 and I'm not sure if it was put with the waste or taken to  
3 an area to be removed. But it was physically removed.

4 MS. BLUM: I wonder why it wasn't sampled  
5 again when you sampled the rest of the creek. Since that  
6 was an area that was problematic to begin with.

7 Apparently you sampled the rest of the  
8 creek in December, but you didn't sample 16 and 17.

9 MS. FANELLI: We sampled the sand that --

10 MS. BLUM: And you removed it. When you  
11 removed it, I think you said you sampled it.

12 MS. FANELLI: We sampled the sand in place  
13 and the silts in place.

14 16 and 17 were removed, and we did not  
15 sample 16 and 17, although there was similar material to  
16 what we had observed, and we removed it down to native  
17 sands, basically. We did not collect any samples below.

18 MS. BLUM: My question is: If that was a  
19 problem to begin with, why wasn't it sampled again?

20 MS. FANELLI: It was a problem from the  
21 physical standpoint. It was sand that could wash into  
22 the creek. That's why we removed it. It wasn't a  
23 problem in our minds from a chemical standpoint, and if  
24 it was, we have removed it, anyway. So we did not do  
25 chemical analysis on it.

1 MS. BLUM: What does the word f-i-n-e-s  
2 mean? Fines in the cover soil were eroded on page 3.

3 MS. FANELLI: Fines would be the silts and  
4 small particles, yeah.

5 MS. BLUM: Okay.

6 MS. CHEEVER: I had heard that some  
7 lyssingia habitat was damaged.

8 Did that not happen or was it not in the  
9 area that was examined? Nothing like that seems to be on  
10 that list.

11 MS. FANELLI: That's right. This report  
12 does not address the lyssingia area. The lyssingia area  
13 is being addressed by the US PSHS and Wildlife Service,  
14 the Park Service and the Trust, and it's sort of on its  
15 own separate time frame.

16 MS. CHEEVER: But was it possibly damaged  
17 by the --

18 MS. FANELLI: Possibly it was, and that  
19 assessment has not been completed at this point.

20 FACILITATOR KERN: Is the -- are you  
21 working with the Park Service on the Lobos Creek  
22 investigation?

23 MS. FANELLI: Which investigation are you  
24 referring to? This assessment here?

25 FACILITATOR KERN: This one that you're --

1 the Lobos Creek riparian habitat assessment.

2 MS. FANELLI: We have -- we have -- we  
3 feel that we have been working with the Park Service. I  
4 don't know if we are all in agreement on all of the  
5 elements of the work that had been done, but we have  
6 worked with Sue and had contact, yes.

7 MS. BLUM: Isn't that an A area --

8 MS. FANELLI: Yes.

9 MS. BLUM: -- to share responsibility?

10 FACILITATOR KERN: It's area A. Lobos  
11 Creek is area A.

12 MS. BLUM: That will be the TPS  
13 responsibility, also?

14 MS. FANELLI: Not -- it's our  
15 responsibility to address it because it came from our  
16 project. So it's really the remediation project's  
17 responsibility to address it in concert and working with  
18 the Park Service.

19 MS. BLUM: So did the Park Service sign  
20 off on the analysis and the results?

21 MS. FANELLI: Work has been shared, but,  
22 you know, Park Service would have to comment.

23 My understanding is the Park Service  
24 doesn't necessarily agree or still has some questions or  
25 comments on some of the work that was done.

1 MS. BLUM: Would it be appropriate to ask  
2 the Park Service to comment on that at this point?

3 FACILITATOR KERN: Ask him.

4 MS. BLUM: Would the Park Service like to  
5 comment on areas of disagreement? Or maybe not.

6 MR. ULLENSVANG: We provided the Trust  
7 with comments last week on the draft before it was  
8 finalized and we're actually looking forward to hearing  
9 the Trust's response.

10 MS. BLUM: I would request that if you  
11 could share that with us at a later date.

12 MR. ULLENSVANG: Fine with me.

13 MS. FANELLI: Fine.

14 MS. BLUM: Ongoing conversation.

15 FACILITATOR KERN: Can you comment on the  
16 nature of your disagreements? Is it the sampling or --

17 MR. ULLENSVANG: I'm not sure we have a  
18 disagreement at this point. I know that our  
19 superintendent, Jeff Deis, has had conversations.

20 We do believe there's a potential impact.

21 FACILITATOR KERN: Can you comment whether  
22 it's chemical or sediment or both?

23 MR. ULLENSVANG: There was no chemical  
24 sampling of sediments in the creek, so that's not a  
25 question that we can talk about, but there was some



1 evidence collected that there would be some physical  
2 changes in the creek or some changes to demonstrate  
3 whether there's a physical change or not.

4 FACILITATOR KERN: I'm not sure that I  
5 understood whether there may be a real conflict in what  
6 you just said between the two.

7 Did you just say that there was no chemical  
8 sampling of sediments in the creek?

9 MR. ULLENSVANG: In the perennial creek.  
10 We were not provided any data showing any sampling in the  
11 creek.

12 MS. FANELLI: We did not sample sediments  
13 in the perennial creek, in the wettest portion of the  
14 creek, because H.G. Harvey did not identify conditions in  
15 the creek, identifiable deposits from the storm events.

16 They identified deposits in the upper  
17 reaches.

18 That gets back to this first conclusion.  
19 The majority of sediments that were deposited did not  
20 reach Lobos Creek. I should probably have put that word  
21 "deposit" in.

22 Obviously we know that deposits went  
23 through, because a turbidity spike. They did not say  
24 that their reconnaissance identified areas where they had  
25 like silt in the wettest portion of the creek, and that

1 might have been a function of the velocities in the  
2 stream and how it went through.

3 I don't know, but they did not identify  
4 deposits in the wettest portion of the creek.

5 FACILITATOR KERN: There's a question  
6 here.

7 Did you have one, Peter?

8 MR. O'HARA: Go ahead.

9 MR. BUDROE: My question was: In that  
10 kind of event, you had a turbidity spike. So you had a  
11 lot of coarse, fine, all kinds of sediment mixed in  
12 there, and you may not see a deposit of sediment after  
13 the fact, but that could well be because it's been spread  
14 now down X length of the creek.

15 So just because they don't come in and ah,  
16 there's a footprint. Obviously that shouldn't be there.  
17 There's going to be a lot of stuff in there that's mixed  
18 in now. You're not going to be able to distinguish it  
19 necessarily.

20 So that will be the impetus for going ahead  
21 and taking a sample and seeing if you had an increase,  
22 especially if you've got historical data of what the COC  
23 content was in the creek past times. That's your  
24 snapshot.

25 Well, especially if you knew what it was

1 before. What is it now. So that's -- that's kind of a  
2 lost opportunity.

3 MR. O'HARA: Yeah. The word that I find  
4 confusing is the majority of the sediments did not reach  
5 the Lobos Creek.

6 MS. FANELLI: The two piles that we  
7 considered reaching Lobos Creek were removed, because  
8 they were in the channel just where the efemoral portion  
9 of the channel.

10 Does that make sense?

11 MR. O'HARA: No. I understand, but I  
12 think the question, at least if I'm understanding Brian's  
13 concern, is: Did any of the sediments actually get into  
14 the water itself?

15 MS. FANELLI: Of course. Because we had a  
16 turbidity spike. So no one is thinking that we didn't  
17 have sediments in the water during the storm events.

18 MR. O'HARA: But would turbidity  
19 necessarily have come from the sediments going into the  
20 creek or would that be a natural phenomenon that would  
21 happen as a result of --

22 MS. FANELLI: That's a good point, Peter.

23 MR. O'HARA: -- the entire length of the  
24 creek?

25 And the fact that you have this onset of

1 very heavy rain, you can have creeks running all year  
2 long, and with that kind of a downpour, you're going to  
3 increase the turbidity in any creek regardless of whether  
4 there is this kind of an event or not.

5 So -- but the fact of the matter is that  
6 Harvey did not actually do any sampling of the --

7 MS. FANELLI: Of the sediments, because  
8 they didn't observe any that would have been associated  
9 with that event.

10 MR. O'HARA: So it's a crapshoot, then.

11 MS. FANELLI: I wouldn't say that. These  
12 people are -- are experts ecologists.

13 MR. O'HARA: I hired Harvey before. I  
14 have a tremendous amount of respect for their integrity.  
15 So I'm not throwing -- I'm not casting aspersions on  
16 Harvey, because I know them. They're an excellent  
17 company.

18 It's just unfortunate that they didn't go  
19 the extra step and take the sampling because it's now  
20 raised questions.

21 MS. FANELLI: Well, I think that that  
22 point can be discussed further, your latter point, but I  
23 do want to go back to something you said earlier, and  
24 that is that there are multiple sources of turbidity, and  
25 yes, we normally do observe turbidity spikes at the

1 treatment plant intake during all rain events.

2           So just the instant precipitation will  
3 cause the turbidity in the creek to increase, and so we  
4 think that there are multiple sources during the events  
5 of October for the turbidity, but we couldn't -- I  
6 couldn't in good conscience say that it wasn't from the  
7 event, because we saw the erosion that came off of  
8 landfill 10. So we know that it was one of them.

9           The fact that we don't see deposits in the  
10 creek now, there's a lot of reasons for that, and we'll  
11 certainly let Regional Board comment on whether or not  
12 our sampling or reconnaissance was adequate, but I think  
13 there's a lot of reasons why you wouldn't necessarily  
14 sample every deposit for trying to determine impact of  
15 sediments from the landfill 10 in the creek.

16           MR. O'HARA:    Okay.

17           MR. CHESTER:   One question.  What's the  
18 jurisdiction of the -- is it the Water Board that's  
19 responsible for the water qualities of the creek going to  
20 the drinking water facility?

21           MS. FARRES:    Well, the drinking water is  
22 regulated by the Department of Public Health, but we  
23 issued an NOV requiring them to assess impacts to the  
24 riparian habitat.

25           So our jurisdiction covers the riparian

1 habitat, not just the waterway.

2 Does that make sense?

3 MR. CHESTER: Yes. So you wouldn't --  
4 you're just concerned with the natural environment, not  
5 the water --

6 MS. FARRES: We're concerned with water  
7 quality, also, but, you know, the drinking water end of  
8 it is -- we would be working with Department of Public  
9 Health at that point.

10 MR. CHESTER: And have they come? They  
11 were aware of the -- was there anything that would  
12 trigger DPH's --

13 MS. FANELLI: I don't believe so. Scott  
14 Saks, who is our water treatment operator, when we  
15 sampled, we followed his guidance to make sure that we  
16 did things in conformance with our existing permit with  
17 the Department of Health Services.

18 FACILITATOR KERN: Okay. I guess I'm left  
19 with the question, though, that we have four foot deep  
20 gauge in the landfill, stuff goes down the creek and we  
21 haven't sampled the sediment in the creek. I think  
22 that's a question --

23 MS. FANELLI: If you --

24 FACILITATOR KERN: -- in my mind.

25 MS. FANELLI: And that's a valid -- a

1 valid question, but if you do remember several -- I guess  
2 back in December, I showed some photos.

3 Most of the debris, et cetera, were  
4 deposited within the area inside the silt beds, inside  
5 the construction zone, and if you remember, we actually  
6 removed all of that, as well, and took it back up to the  
7 top as part of the repair of that incised channel, and  
8 then finished off the key trench area and filled it back  
9 up to grade.

10 FACILITATOR KERN: I definitely understand  
11 that, and I was there after both events and I walked  
12 down, you know, below the creek, and what I'm saying is  
13 material escaped downstream, and that has not been  
14 sampled.

15 I mean, I just -- that's true.

16 MS. FANELLI: I guess what we're saying is  
17 that we don't see that material in the wetted portion of  
18 the stream.

19 FACILITATOR KERN: I'm just -- I think  
20 what I'm up against here is I don't know when I've ever  
21 been able to rely on a visual inspection of  
22 contamination, to be able to visually see, okay. I think  
23 that's where there would be contamination.

24 MS. FANELLI: Doug --

25 FACILITATOR KERN: I didn't think that was

1 the standard.

2 MS. FANELLI: I didn't mean to interrupt  
3 you there.

4 FACILITATOR KERN: It was -- there is a  
5 mechanism for that contamination to have been down there,  
6 so --

7 MS. FANELLI: I guess the -- what we --  
8 what the document is saying is that it was not a visual  
9 inspection of contamination; it was a visual inspection  
10 of sediment deposition that would be associated with  
11 contamination, and that they did not see the sediment  
12 deposition in the wetted portions of the creek and they  
13 did not sample it.

14 FACILITATOR KERN: And as someone who has  
15 walked up and down that creek for over a decade, there  
16 are lots of places where you could get sediment out among  
17 all the water in fines and small particulates and then  
18 remobilize it and resend it.

19 Anyway, I'll just have to -- I think we're  
20 arguing about something that to me, I don't understand --  
21 I'm shocked, actually. I'm shocked by it.

22 MS. FANELLI: I think it would be  
23 worthwhile for everybody. Since this report came out  
24 recently, nobody here has really gotten a chance to read  
25 it.



1                   So I suggest reading it and we can  
2                   certainly answer any questions that you have.

3                   MS. KRAMER:    I think some of us read it.  
4                   It came out late and I was trying to get ready.  I kind  
5                   of went through it and I didn't want to print it all out,  
6                   but definitely --

7                   MS. FANELLI:   There hasn't been enough  
8                   time for everybody to read it.

9                   MR. HULTGREN:   I did read it, and I found  
10                  it to be very believable, very supportable and very  
11                  accurate.

12                  What I'd like to suggest is that without --  
13                  that we stop this speculating, so many of us on what  
14                  maybe it said and read it, and if you want to take it up  
15                  either at the next RAB meeting or the committee meeting,  
16                  that would be the appropriate time.

17                  FACILITATOR KERN:   Well, I respectfully --  
18                  I was trying to set the stage that I had not -- I  
19                  admitted that I had not read the report, and I just  
20                  really want it established at least the factual basis of  
21                  whether it -- there had been sampling in the creek, and  
22                  I'm comfortable with that now, so thank you.

23                  MS. FANELLI:    Okay.  The last thing I  
24                  had -- we're ready to move on -- is a question that came  
25                  up last December.

1 MS. BLUM: I'd like to return to Julia's  
2 question. I know this was an assessment of Lobos Creek,  
3 but was there an assessment of damage done to endangered  
4 species and lyssingia?

5 MS. FANELLI: That is sort of under a  
6 different schedule, if you will, and Fish and Wildlife is  
7 working with us through the Park Service, and I think  
8 they're still reviewing the situation and it's just on a  
9 different time frame.

10 MS. BLUM: What time frame is that?

11 MS. FANELLI: Well, it's the Fish and  
12 Wildlife Service's time frame.

13 Do you know, Brian, if they've given any  
14 date or indication that they --

15 MR. ULLENSVANG: I understand it will be  
16 fairly soon, but they don't have a date on when they're  
17 going to give us feedback.

18 MS. BLUM: With all due respect, Julian, I  
19 want to go back to page 9. I was a little bit concerned.  
20 The conclusions included words like mostly, likely,  
21 potentially, underlying waste and it sounded a little bit  
22 vague to me.

23 So I didn't find that it was a conclusive  
24 document. That would be my statement.

25 MS. FANELLI: Okay. If we're moving on,

1   there was a question last month about the RAB costs and  
2   what was in there, so I did a little bit of background,  
3   and here's the numbers for you.

4                   I think we reported about half a million  
5   dollars spent on the RAB project, and of that, a majority  
6   is labor. I think this came up.

7                   Most of that labor was accumulated prior to  
8   2004, so it's kind of ancient history to me, but it was  
9   really salary for those remediation public affairs staff  
10  that I think you guys worked with at that point in time.

11                  There were a couple of them. The librarian  
12  program, and I'm not sure there was special interaction  
13  between RAB and librarian earlier on in the program.  
14  There was some librarian charges.

15                  FACILITATOR KERN: I don't recall that,  
16  actually. Not a special interaction.

17                  MS. FANELLI: So I don't know, but there  
18  was some librarian charges, and there was some project  
19  management charges.

20                  The other portion, about 185,000 were  
21  expenses. Over a hundred thousand on transcription  
22  through a variety of vendors, 32,000 on recruitment, and  
23  that was mainly advertisements in some of the newspapers,  
24  preparations of some documents and printing fees, things  
25  like that.

1                   Prior to 2004, I believe meeting space was  
2 charged. We are not charged, for example now -- the  
3 program's not charged for this meeting space, but I think  
4 there was some different agreement with operators, so  
5 there were some charges in the past.

6                   And then 25,000 is miscellaneous -- this  
7 whole bunch of little stuff all over the place, but, you  
8 know, the snacks and the drinks, just a bunch of  
9 miscellaneous. Supplies.

10                  I think there was a projector. I'm pretty  
11 sure that this projector was charged to RAB, because we  
12 got it specifically so we could do this presentation, and  
13 they just over the last ten years accumulate to that  
14 amount.

15                  So that's the detail on the RAB costs.

16                  MS. KRAMER: I wasn't here at the last  
17 meeting. So these are from the beginning of the RAB --

18                  MS. FANELLI: Correct.

19                  MS. KRAMER: -- through now costs that are  
20 sort of not related to project costs, but sort of admin  
21 overhead?

22                  MS. FANELLI: These are costs that are  
23 considered allowable because the RAB is a required  
24 element of the historical site remediation, but there was  
25 a question as to what could we have spent a half a

1 million dollars on, and so I just tried to break it out  
2 into general categories for folks.

3 Our estimate to complete is not anywhere  
4 near that much. The charge that would occur are the  
5 transcription for the most part, the peanuts or water and  
6 cookies, and then the few hours that, for example, of my  
7 time to be here in the evenings.

8 FACILITATOR KERN: And this is from 1999?

9 MS. FANELLI: It's from, yes, the  
10 beginning of the program.

11 MR. BUDROE: Out of curiosity, how many  
12 key PYs get charged off for the RAB? Personnel years.

13 MS. FANELLI: It's obviously varied.  
14 Prior to 2004, there were some people that were  
15 full-time. Currently, it's a fraction. Just a couple of  
16 hours, four hours a month of my time, maybe for the  
17 meeting.

18 So it's not -- it's not consistent from the  
19 beginning of the program at all.

20 But in the past, when this program started,  
21 I think there was a lot of effort on the RAB program  
22 obviously for recruitment, so there were some full-time  
23 charges.

24 And I think that's all I got. That's all I  
25 got.

1 FACILITATOR KERN: With respect to item  
2 5C, the full site, landfill 2 data report, I have  
3 received -- as Eileen mentioned, I have received a new  
4 final.

5 I'm comparing that to the original, and  
6 then I'll bring back to you that information that I have  
7 about the report that we can consider while we're looking  
8 at the Draft RAP, because it will be fairly heavily  
9 relied upon part of the RAP, I'm assuming.

10 MS. FANELLI: When we have the RAP  
11 actually posted, the data report will be posted, as well,  
12 and if anybody -- I would be more than happy to e-mail it  
13 to folks, but it's just too large.

14 If there's anybody that really does want to  
15 look at it, I will work with Rick to get -- we've taken  
16 our environmental library offline, and we've taken it  
17 offline to update it and get it right.

18 It's taking a little bit of time, so I will  
19 find a place to post it. It will be in our  
20 correspondence library so it will be accessible if you'd  
21 like to see it.

22 Or if anybody wants to stop by our offices,  
23 just give a call. It's a binder. We would be more than  
24 happy to set you up and take a look at it.

25 FACILITATOR KERN: DTSC also has produced

1 a comment letter in -- which we can talk about when we  
2 get all of our stuff in here, fillsite 1, landfill 2.

3 Anything else on this -- any of the items?

4 MS. FANELLI: I just want to be clear.

5 The comment letter did come from DTSC on the draft.

6 FACILITATOR KERN: Yeah.

7 MS. FANELLI: And so this final version  
8 addresses those comments. So there is also  
9 correspondence from the Trust to DTSC about how those  
10 comments were addressed.

11 So if there is an interest in that, too,  
12 just let me know. If you want a copy of the letter,  
13 we'll get a copy to you.

14 FACILITATOR KERN: Okay. I'm not sure  
15 I've seen follow-up back from the Trust to DTSC on --

16 MS. FANELLI: On that?

17 FACILITATOR KERN: -- that.

18 MS. FANELLI: I'll check with Genevieve  
19 and make sure you guys are copied.

20 FACILITATOR KERN: Okay. Thank you for  
21 those comments. Thank you for your report and thanks for  
22 following up on the RAB costs.

23 Item number 6, this is where we have time  
24 in the agenda to have our regulators make any comments  
25 that may be coming up for them at all.

1                   We have Bob down here, but Denise, since  
2   you're here, do you have anything from the Department  
3   that you'd like to talk about? Now's your shot.

4                   MS. TSUJI:   Last time when I was here --  
5   happy new year, everyone.

6                   FACILITATOR KERN:   Happy new year.

7                   MS. TSUJI:   What I'm passing out now is  
8   our monthly update to kind of give you an idea of what  
9   Bob and Medi have been working on. Identified completed  
10   tasks.

11                   Currently what we're working on and things  
12   coming up in the next thirty to 45-day horizons that we  
13   are aware of. So kind of -- you can kind of understand  
14   where -- where all our time is being spent.

15                   We are focusing on -- there are a number of  
16   sites that were completed months, years ago. We are  
17   trying to finalize and get formal signoff on it, because  
18   without the formal signoff, the site isn't really  
19   finished. So it's more administrative work that we're  
20   doing.

21                   What we've done is identified, based on the  
22   RAP and area and the general kind of nature of the  
23   document, and then the comments would be what we are  
24   currently doing.

25                   I welcome any input from you to update and



1 make this report to you better.

2 It was kind of our first stab, so, you  
3 know, as you look at it, please let us know.

4 One thing that I would like to bring to  
5 your attention is that when we do -- on one of the  
6 upcoming tasks, as far as the remediation action plan,  
7 the action plan that I guess is going to be submitted  
8 next week, it's our plan to wait a couple weeks so  
9 everybody has a chance to take a look at it, and then do  
10 a working meeting with the RAB, with the agencies to talk  
11 about what's there and kind of get your general input in  
12 it so that when our project managers start the real  
13 review in earnest, we kind of have a heads-up in the back  
14 of our head and keeping your concerns in mind.

15 I don't know if there's any other  
16 questions.

17 If you want additional information included  
18 in our updates, please let me know.

19 FACILITATOR KERN: Thanks very much,  
20 Denise.

21 Any questions for Denise at all at this  
22 point? Julie.

23 MS. CHEEVER: This is very interesting and  
24 helpful. Thank you.

25 There's a couple things where I'm not sure

1     who is doing what.

2                   MS. TSUJI:     Okay.

3                   MS. CHEEVER:   RAP4, landfill 10 assessment  
4     of impacts. That's what we were just talking about -- by  
5     the way, that's on the reverse side.

6                   MS. TSUJI:     Okay.

7                   MS. CHEEVER:   Does that just mean --

8                   MS. TSUJI:     We received the report. We  
9     will look at it as it applies information to what we're  
10    overseeing and need to make sure that it's appropriately  
11    documented.

12                  MS. CHEEVER:   Okay. And likewise, under  
13    current tasks, RAP5A, revised report submitted under  
14    review.

15                  MS. TSUJI:     It does need to be approved by  
16    the Department before we formally move into adopting any  
17    kind of cleanup plan.

18                  MS. CHEEVER:   But the revised report was  
19    submitted by the Trust to you; is that right?

20                  MS. TSUJI:     Yes.

21                  MS. CHEEVER:   Okay. Everything else is  
22    clear.

23                  MS. TSUJI:     Okay.

24                  MS. CHEEVER:   Because everything starts  
25    with DTSC as a subject.

1 MS. TSUJI: I was to get through this and  
2 go to a meeting.

3 MS. CHEEVER: This is great. This is  
4 really nice. Thank you.

5 MS. TSUJI: I want to share the hard work  
6 that Medi and Bob do all month that I don't really see.  
7 So if there's more detail as to, you know -- more  
8 specific within the activity we're doing, you know, more  
9 technical information.

10 It's really a lot, so I don't want to get  
11 overly detailed.

12 MR. CHESTER: So this will be submitted  
13 every month?

14 MS. TSUJI: Yes.

15 MR. CHESTER: So this is January 2010, so  
16 this is taking into account things that have occurred  
17 from December?

18 MS. TSUJI: Late November, December.

19 MR. CHESTER: So when it comes out in  
20 February, it will be things that occurred --

21 MS. TSUJI: Hopefully we will have  
22 completed the current tasks and they'll be completed  
23 tasks. Upcoming will be what we're working on. So  
24 you'll slowly see --

25 MR. CHESTER: I see.

1 MS. TSUJI: -- little widgets being made  
2 by the department.

3 MR. KETCHAM: In the form of reports.

4 MS. TSUJI: Reports or comment letters.

5 FACILITATOR KERN: Thanks very much for  
6 providing this.

7 MS. TSUJI: You're welcome.

8 FACILITATOR KERN: Agnes, do you have  
9 anything?

10 MS. FARRES: No, I don't.

11 FACILITATOR KERN: Very good.

12 We have another item now on -- under new  
13 business. Just trying to look out a little further down  
14 the road beginning -- it doesn't have to take very long,  
15 because I don't think -- we may not know very much about  
16 it, but looking out to when the landfill E discussion  
17 will happen.

18 We have a new member, Jim who's interested  
19 and made known to us very clearly that this is an  
20 important issue to him, and I wanted to make sure we were  
21 talking about it early.

22 I put it like this, ball field design plan.  
23 I don't know that there is any, but I know that in our  
24 last meeting, you asked something like that, and so we'll  
25 try to see if we can find if there are beginnings of

1 ideas for the design at landfill E and how that might be  
2 considered with the cleanup and how we might begin to  
3 have a conversation about landfill E.

4 MS. FANELLI: I did see this on the agenda  
5 and I spoke to Allison Stone beforehand.

6 Obviously when we do the remedial design  
7 for landfill E, one of the design criteria are that a  
8 ball field needs to be replaced on top of it, and we  
9 haven't gotten far enough to understand specifics about  
10 that ball field design that would affect how we design  
11 that cover.

12 I did ask her a little bit about the timing  
13 on the ball field and how they see that design happening,  
14 and I believe that internally we'll get some decision  
15 about sort of gross -- gross design elements, you know,  
16 size adds and spacing, things like that.

17 But when it comes to detailed design and  
18 construction, the Trust will -- has not made a decision  
19 or our board has not made a decision whether or not that  
20 will be something that they would issue an RFP for  
21 similar to what they're going to do for Paul Goode Field  
22 and the small field, or if because of some of the  
23 constraints of the fact that it's a constructed ball  
24 field on top of a closed landfill, if that would be then  
25 a design that would be done in-house by the Trust, and

1     that's sort of where we're at.

2                     We're just now initiating some of those  
3     design criteria constraints, and my thought is that those  
4     design, big picture things associated not only with the  
5     ball field construction, but some of the adjacent natural  
6     area constructions would come forward and be documented  
7     as part of our remedial design criteria.

8                     And we are scheduled -- if you look at our  
9     schedule, to begin that process, and I think within the  
10    next -- I've mentioned before a landfill designer on  
11    board, Geosyntec, and we are working internally.

12                    I would think that we would have documents  
13    going forward on that in the next four to six months.  
14    And so there will be some discussion coming up with what  
15    that criteria are.

16                    FACILITATOR KERN:    Please.

17                    MR. CALLANAN:    What kind of ball field are  
18    you talking about?   Football, baseball, soccer or all  
19    three?

20                    MS. FANELLI:    Jim might have more details.

21                    What I was -- I'm not told to say, but what  
22    we are reflecting is what is in the EA for Tennessee  
23    Hollow, and my understanding is that the EA reflects a  
24    small practice field next to Paul Goode and a large full-  
25    size field on top of Pop Hicks.   So we are looking at a

1 large field.

2 Now, I'm not sure what that means exactly  
3 in terms of if it's more multi-sports or not.

4 MR. KETCHAM: The EA says a high school  
5 sized soccer field and a Little League baseball field,  
6 which I'm sure would not be separate.

7 MS. FANELLI: It would be combined.

8 MR. KETCHAM: The Little League field  
9 would be within the soccer field, if that makes sense.

10 The Trust has great processes for so many  
11 things where things have to be handled in a certain way  
12 and there's time for public comment.

13 Ball field design to me is something where  
14 there's never been a clear process for how that happens,  
15 and it's important, because to the extent that a field is  
16 going to go into construction, that's too late if the way  
17 it's going to happen is inconsistent with the various  
18 interests for that area, what kind of field, how big a  
19 field, what are the recreational impacts, you know, pro  
20 and con for the areas around it.

21 So I just think it would be good if there  
22 could be some plan for the design for a ball field to  
23 then have a period where it could be -- receive public  
24 input --

25 MS. FANELLI: Mm-hmm.

1 MR. KETCHAM: -- as to what's good about  
2 it, what's bad about it before it goes to the  
3 construction phase.

4 Just like everything else that happens, and  
5 I'm not sure that it wouldn't happen that way, but I  
6 don't know if it would happen that way because it's not  
7 clear.

8 MS. FANELLI: I will definitely talk to  
9 Allison about that --

10 MR. KETCHAM: Okay.

11 MS. FANELLI: -- and try to at least  
12 working internally with Allison's group, come back and it  
13 may not be next month, it may be the month after, come  
14 back with a sequence for how we will be looking at  
15 remediation as it relates to that design process, and  
16 then hopefully she'll be able to come or one of their  
17 representatives, as well, to kind of talk about that  
18 latter.

19 MR. KETCHAM: Okay.

20 FACILITATOR KERN: I guess -- and I  
21 appreciate all those comments, and particularly Jim's  
22 thought about, you know, let's find out about what the  
23 design and can we get some input in it.

24 I have -- my interest is things of how --  
25 as Eileen said, how the remediation works with the ball



1 field design itself, and those are kind of open  
2 questions, how much fill would be put on top of landfill  
3 10 if that was necessary for cover.

4           Would -- you know, where would things be  
5 moved around? If there's going to be a creek around the  
6 side, how would that look like? What would that look,  
7 I'm sorry, and what are all the tradeoffs that we could  
8 talk about in terms of remediation, getting the maximum  
9 remediation that we can and preserving these recreational  
10 values.

11           And so I -- I think it would be really  
12 helpful to be able to understand how that could work,  
13 because I don't think the ball field requires there to be  
14 contamination underneath it to be an effective ball  
15 field, but I know from talking to ball field advocates  
16 that they are very worried that if you remove the  
17 landfill, which some of us would like to see, then  
18 there's no terrain left to put a ball field.

19           So I want to get that issue out there so we  
20 can talk about it and see what we can do to meet the ball  
21 field interests and get a maximum cleanup, as well.

22           So appreciate having the time.

23           MR. KETCHAM: Can I just simply say that  
24 there's an implicit assumption in what you said that if  
25 there's, you know, a complete remediation plan to remove

1 all of the toxic landfill, then there would not be any  
2 plan to replace it with clean dirt.

3 FACILITATOR KERN: We've had that  
4 conversation.

5 MR. KETCHAM: Right. And I think it's  
6 because some people hope that that would be the outcome,  
7 but prior planning effort at the Trust, most specifically  
8 the EA for Tennessee Hollow, have addressed that  
9 question.

10 So people are concerned about that. It has  
11 been addressed. Pop Hicks will be a ball field. The  
12 remediation should be decided based on the merits of the  
13 best remediation plan for the values of that and the  
14 costs, et cetera.

15 The ball field, I think, is a separate  
16 issue that can and should be addressed in a timeline  
17 consistent with when a remediation will happen, which for  
18 right now with Pop Hicks is potentially 2011, if I  
19 remember reading it correctly, which is close enough that  
20 it should be time to start thinking about the related  
21 efforts that could come behind that if it did happen on a  
22 2011 timeline.

23 FACILITATOR KERN: It's just next year.

24 MS. FANELLI: That is the plan. We are  
25 doing everything we can to be in construction in 2011.

1 FACILITATOR KERN: Julie.

2 MS. CHEEVER: Does the cost of building  
3 the ball field or whatever it -- soccer field beyond the  
4 cost of just having some sort of restoration of turf  
5 there, does the remediation program have to pay the costs  
6 of specifically building the ball field?

7 MS. FANELLI: Absolutely not.

8 MS. CHEEVER: That's good. Thanks.

9 MS. BLUM: I think we have to prepare the  
10 land appropriately, though, smooth it out, level it out  
11 and make parking area.

12 MS. FANELLI: Right. We restore it so  
13 that it's safe and it doesn't preclude future land use,  
14 but we don't go beyond that, because going beyond that is  
15 not reasonable and necessary for the remediation, and one  
16 of the internal issues where the Trust is now is how do  
17 we segue from what's being done to moving forward.

18 So I think in the next several months,  
19 that's a legitimate question to us, what does the Trust  
20 see that process being, and we can talk about taking into  
21 account those future land uses in the remediation design  
22 process in the completion of the planning document, the  
23 RAP and the design process.

24 MR. KETCHAM: It's a great question,  
25 because these things are so contiguous that they have to

1 be addressed together.

2 MS. FANELLI: Right.

3 MR. KETCHAM: The Trust has a decision to  
4 make whether they want to develop a ball field for an  
5 RFP, some outside party or they could do it themselves and  
6 lease it.

7 But they contact because when you do a  
8 remediation, what's the end result you leave the area  
9 with. It should be known based on what's going to happen  
10 to that area afterwards.

11 You could spend a lot of time cleaning  
12 something up only to have somebody come in and just rip  
13 it all up again.

14 MS. FANELLI: Right.

15 MR. KETCHAM: It's economy.

16 MS. FANELLI: It's really the  
17 understanding that this is a landfill cover, and so there  
18 might be some specific constraints to design and  
19 construction in the future based on that remedy,  
20 presuming that that's the remedy, you know. Landfill  
21 material with a ball field of some dimension. So it has  
22 to be addressed together.

23 FACILITATOR KERN: All right. Moving on  
24 to item number 8, if there are no other questions on that  
25 subject, action items.

1                   Looking back to the rest -- our agenda  
2   tonight, one question that remained somewhat unanswered  
3   is the -- the planting, I guess, on landfill 10.

4                   There was some discussion that it should  
5   happen in the next few months. I think that would be --  
6   it would be good to find out what the mutual plan is. I  
7   think that's a very important element of the success is  
8   the planning occurs during the rainy season.

9                   MR. ULLENSVANG: We agree.

10                  FACILITATOR KERN: I guess we're going to  
11   do some reading of the Lobos Creek report, all of us, and  
12   make our thoughts known there, and I will be bringing  
13   together some of the differences and -- between fillsite  
14   one, landfill 2 data reports that were prepared as we're  
15   going into this RAP review process.

16                  Agenda items for upcoming meetings go to  
17   Mark, and are there any other items tonight that anybody  
18   has?

19                  MS. BLUM: I think, Eileen, if you could  
20   send us an e-mail when we can look at your website that  
21   you're updating. I think there are three areas that  
22   you're updating.

23                  One is the environmental page so we could  
24   look at your pictures, and then you were going to get the  
25   communications page up and running again so we could look

1 at data online.

2 MS. FANELLI: I'm going to post the RAB  
3 presentations ultimately that you've already seen on the  
4 correspondence page when we get it back up and running.

5 MS. BLUM: If you could just send us an  
6 e-mail when that's ready, that's great.

7 MS. FANELLI: Sure.

8 MS. BLUM: Thank you.

9 FACILITATOR KERN: Any other comments  
10 tonight for the good of the order?

11 Thanks, everyone, for your participation.  
12 Without objection, meeting adjourned.

13 (The meeting concluded at 8:34 PM).

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1       STATE OF CALIFORNIA       )

2       COUNTY OF SAN FRANCISCO    )

3               I, the undersigned, hereby certify that the  
4       discussion in the foregoing meeting was taken at the time  
5       and place therein stated; that the foregoing is a full, true  
6       and complete record of said matter.

7               I further certify that I am not of counsel or attorney  
8       for either or any of the parties in the foregoing meeting and  
9       caption named, or in any way interested in the outcome of the  
10      cause named in said action.

11

12

13

IN WITNESS WHEREOF I have

14

hereunto set my hand this

15

22<sup>nd</sup> day of January

16

2010.

17

18

  
MARK I. BRICKMAN CSR 5527

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1       PRESIDIO RESTORATION ADVISORY BOARD MEETING

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9       REPORTER'S TRANSCRIPT OF PROCEEDINGS

10           TUESDAY, FEBRUARY 9, 2010

11           OFFICERS' CLUB, BUILDING 50

12       PRESIDIO, SAN FRANCISCO, CALIFORNIA

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Reported by:   DAWN E. HOWARD, CSR

24           License No. 13201



## ATTENDEES

RAB Members:

Sam Berman

Jan Blum

John Budroe

Edward Callanan

Julie Cheever

John Chester

Eileen Fanelli

Agnes Farres

Doug Kern

Jim Ketchem

Toni Kramer

Jan Monaghan

Barbara Newton

Terri Thomas

Denise Tsuji

Brian Ullensvang

Kevin Whilden

Mark Youngkin

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on February 9, 2010, at the Officers' Club, Building 50, Presidio of San Francisco, California, before me, DAWN E. HOWARD, CSR No. 13201, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

---o0o---

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1 FACILITATOR KERN: Welcome everyone, to the  
2 presidio restoration advisory board meeting for  
3 February 2010 or twenty-ten, I should get that right.

4 I'd like to welcome the Presidio Trust, the  
5 National Park Service, our Regulatory Community, and the  
6 Presidio Community RAB members. Thank you for being  
7 here tonight.

8 Does everyone have an agenda?

9 Are there any changes or additions to tonight's  
10 agenda?

11 All right. Seeing none, we'll move on to  
12 announcements. Are there any announcements?

13 Jan, please.

14 MS. MONAGHAN: I received Michelle Passero's  
15 resignation this morning by e-mail. She had work  
16 conflicts that were calling her to Sacramento more and  
17 more often. She was having a hard time getting to the  
18 meetings, so she decided that she'd resign from the RAB.

19 FACILITATOR KERN: Well, that is a -- she's a  
20 very strong member, and her contributions were  
21 significant, so we'll miss her.

22 MS. MONAGHAN: So I think we probably would  
23 want to send her a letter or something, thanking her for  
24 her service and all that.

25 Do you want to draft something, or do we have a

1 regular one we send?

2 MR. YOUNGKIN: I'm not sure where it is, but  
3 let me look for it first.

4 MS. MONAGHAN: Okay. All right. Let me know,  
5 and I'll write one if you can't find it.

6 FACILITATOR KERN: Any other announcements or  
7 old business?

8 Committee Report. I think several of us were  
9 on the tour. That was at 4:00, two weeks ago, I guess.  
10 We toured landfill 10 and landfill 8. And please, any  
11 of you that were there that would like to join in,  
12 please make a comment. And I will say that we started  
13 at the Weinstock property, where we met Mark and Ann  
14 Weinstock and looked at the puddle and the water up  
15 against their home. Jeff Deis was there, and I know  
16 that they spoke with Jeff and Eileen at the time, and  
17 they discussed the situation at their property.

18 We moved on from there onto the top of landfill  
19 10 and skipped across some mud to get to the edge, look  
20 down, and looked at some of the new fabric that had been  
21 put on the landfill and some of the erosion that had  
22 happened. We talked about that, walked to the -- from  
23 the northern end down to the southern end and surveyed  
24 landfill 10, and had some discussions with the  
25 construction manager. Ryan Seelbach was there as well.

1           Any thoughts about landfill 10 from those of  
2   you that were there?

3           I think one significant thing Eileen mentioned,  
4   while we are at the site, was that the Trust was going  
5   to winterize the site and kind of close it down, wait  
6   for some drier weather to do repairs, but where  
7   possible, do some planting.

8           Is there any discussion about the planting in  
9   any part of that fill site, or the landfill?

10          MS. FANELLI: Yes. We're working on actually  
11   kicking off planting as soon as we can in areas where  
12   it's appropriate to plant. So the areas where there's  
13   damage that we'd want to repair, it requires using  
14   mechanized equipment, we wouldn't plant there, but we  
15   would plant everywhere else. And so we're working on  
16   that map, if you will, to identify those areas now.  
17   It's a significant -- planting over a significant  
18   portion of the slope, is what we're looking at.

19          MS. MONAGHAN: I went by there today, and there  
20   is no work going on.

21          MS. FANELLI: Today there was no work because  
22   it was raining at 7:00 a.m., when the workers showed up.  
23   And so they are working on the top deck. They are  
24   planing to pave. We're hoping to do the first lift  
25   Thursday on the parking lot itself.

1 MS. MONAGHAN: Okay.

2 MS. FANELLI: But they did not work today,  
3 because it did rain last night. The site was wet this  
4 morning, but they will be back on site tomorrow.

5 MS. MONAGHAN: Okay.

6 FACILITATOR KERN: And we have time in the  
7 agenda, but if you have more questions on landfill 8 and  
8 10, we can go into that right now, if you'd like.

9 Sure.

10 MS. BLUM: When I was at the top of landfill  
11 10, it seemed that the slope was pretty irregular in  
12 many places, what I would call lumpy and where the dirt  
13 and the sand and the soil and everything had moved  
14 around from the water.

15 So it's surprising to me to hear that you're  
16 going to go ahead and plant without a game plan for  
17 fixing up the surface. I'm not saying this correctly,  
18 but for smoothing out the surface and making sure that  
19 we have two feet of sand everywhere and all of that. So  
20 it's surprising to hear we're planting in the middle of  
21 all this erosion.

22 MS. FANELLI: Well, we do have a game plan.  
23 We're not planting without a game plan. So what I  
24 mentioned before was, there's an assessment where we've  
25 mapped where the erosion is such that it needs repairs,

1 and that there are many other areas where it's fine.  
2 And that assessment is being done in connection with the  
3 Department of Toxic Substances Control, a geotechnical  
4 engineer and our engineer, so that plan is under  
5 development.

6 We're having conversations. We've had  
7 conversations about it. We're continuing to have  
8 conversations about it, and we're hoping to resolve it  
9 so that we can plant as soon as possible. There are  
10 repairs, but still the majority of the slope is stable  
11 and in good shape and ready to be planted.

12 MS. BLUM: How are you going to be able to  
13 measure whether they're not built on top of all of the  
14 landfill in order to proceed?

15 MS. FANELLI: The engineers have gone and done  
16 a walking tour across the site. They had their previous  
17 measurements. They compared and measured the depth of  
18 erosion gullies that are existing. So basically through  
19 their observations and their measurements of existing  
20 erosion gullies, they have a very good understanding of  
21 where the damage is and where it is not.

22 There are a couple of significant gullies  
23 where -- it's all clear. We all saw it. Stuff had  
24 washed out at the bottom. But those are clearly areas  
25 that have to be repaired and will take some type of

1 mechanized equipment to repair them, and that would  
2 happen in the dry season. But there are other areas  
3 that are not damaged significantly, where the cover is  
4 structurally intact and it can be planted. And that  
5 decision, again, is conjunction with the Department of  
6 Toxics.

7 MS. BLUM: Is this Park Service land, that back  
8 side?

9 MR. ULLENSVANG: Yes, it is.

10 MS. BLUM: Okay. So is the NPS in agreement  
11 with the new plan to plant landfill 10?

12 MR. ULLENSVANG: Yes, we are.

13 MS. BLUM: Okay.

14 MR. ULLENSVANG: The Trust is going to do the  
15 assessment plan that Eileen talked about. They are then  
16 going to provide that assessment to DTSC and the Park  
17 Service, and then DTSC will come out. Hopefully, we'll  
18 get the assessment pretty soon and come out, maybe even  
19 later this week, to confirm that the Trust assessment is  
20 accurate.

21 That will be classified into three different  
22 categories: those areas where there appears to be no  
23 damage, those areas where there's some questionable  
24 nature and will need further inspection, and those areas  
25 where there is clearly damage, and we are prepared to



1 start planting in those areas that are clearly not  
2 damaged.

3 MS. FANELLI: That's correct.

4 MS. MONAGHAN: I had a couple more questions.

5 FACILITATOR KERN: Sure. Go ahead.

6 MS. MONAGHAN: Is the contractor still being a  
7 good guy and willing to work with everybody without  
8 change order drummings and things like that?

9 MS. FANELLI: We've actually gotten some very  
10 good response recently from our contractor. They have  
11 removed their site superintendent from the project and  
12 given us a new site superintendent and a new project  
13 manager. I think they understand at this point the  
14 gravity of the situation.

15 And so we are -- although we are still  
16 winterizing, for lack of a better word -- not going in  
17 areas where we can't safely go. We don't want to do  
18 more damage until it's drier. They are finishing those  
19 areas where they can finish, and the parking lot is one  
20 of those critical areas they need to get paid to be  
21 finished, so that they can continue, then, to go do the  
22 repairs and final work on 8.

23 MS. MONAGHAN: Right.

24 MS. FANELLI: And there are also areas on the  
25 top deck that they can also finish. The southern area

1 is basically at grade. It's ready for -- in that area  
2 we're seeding. It's in area B, and we're placing seeds  
3 and other plants. That area is ready to go, and they're  
4 actually working on bringing in some new rock to finish  
5 the trails so that that piece is taken care of as well.

6 MS. MONAGHAN: Okay.

7 MS. FANELLI: Areas where they are likely not  
8 going to be able to go back is clearly the toe where the  
9 sand was damaged. And I should be clear that that sand  
10 is really not the contractor's. The contractor does not  
11 have 100 percent responsibility for that, because that  
12 sand was placed per the design documents and final  
13 documents that we had agreed to.

14 It didn't perform as everybody had hoped it  
15 would. The contractor still has some responsibility,  
16 and I don't want to go into details about what they are  
17 and what they are not responsible for, but that's the  
18 area where we really can't get back in and do a  
19 significant amount of work until that gets drier.

20 At the very top, we're requiring the contractor  
21 to bring in more soil at the area of the overlook. They  
22 really -- a lot of their problem was the fact that they  
23 just never had an adequate soil source. That area of  
24 the work has stopped until they provide adequate soil.  
25 I know that they are working on that. We do not have

1 yet an approved soil source.

2 Once they get that, and if they get dry enough  
3 days, I imagine they will work, but it may be that they  
4 still let that go until later, until we get past the  
5 real wet season. In that area, they will just have to  
6 maintain by the overlook until we're done.

7 MS. MONAGHAN: Are they able to do some repairs  
8 so that we can stop the ponding at 15th Avenue?

9 MS. FANELLI: The ponding in the street at 15th  
10 Avenue has nothing to do with the remediation program.

11 MS. MONAGHAN: It doesn't. Okay.

12 MS. FANELLI: That ponding has been in  
13 existence forever. Sediment runoff from the site that  
14 was a problem before, that was a remediations issue.  
15 That has been resolved. They are on top of that, and  
16 they should be on top of that and working with that.  
17 But the pond itself has always been there, and it's a  
18 bigger, different issue.

19 MS. MONAGHAN: Okay.

20 FACILITATOR KERN: I think since we're right  
21 into landfill 10, we'll just kind of blend out of our  
22 Committee Report and just continue on with landfill 10,  
23 and then we'll go into landfill 8.

24 MS. MONAGHAN: Sorry.

25 FACILITATOR KERN: So let's just continue the

1 landfill planning questions, please.

2 Sam and then Julie.

3 MS. CHEEVER: Well, is Eileen going to give a  
4 report on it, because maybe she should give a report  
5 before we ask questions.

6 MS. FANELLI: I actually have no formal slides  
7 or anything to show you today. All I was going to  
8 update you is, is that we are winterizing. I've already  
9 given you sort of that piece, that we are going to stay  
10 away from the toe, expect for emergency and sort of very  
11 interim, short-term actions that we can safely do to  
12 help keep that sand from further migration.

13 But basically, we're not going to do any major  
14 work down there, and we're not going to do the major  
15 repairs to the slope until the site is drier and the  
16 equipment can actually safely get down there and do work  
17 without causing further damage.

18 We are going to continue with paving, and  
19 hopefully that will be done by next week. They're going  
20 to try to do the first lift this week and then pave the  
21 second lift the following week, which will also include  
22 a one-day closure of Wedemeyer. They only have a base  
23 lift on there, so they're going to add another  
24 two inches of asphalt. So that will be noticed, and  
25 we're working with our public affairs to make sure

1 everybody has hopefully a week's notice on that closure.

2 And if they can get that parking lot done, then  
3 they can move to 8. And on 8, we are independently  
4 working on a repair design. It is due to DTSC on the  
5 25th for the damage to the native dunes that are behind  
6 the houses on Wyman, so that's under way, and we will be  
7 directing the contractor to make those repairs.

8 And then once he's done that, he will finish  
9 the top deck. As part of that top deck, we are also  
10 responding to DTSC's request that we reevaluate that  
11 final design to make sure that once it is built that it  
12 will perform adequately in future storm events, so we  
13 are doing that. We've instructed our design engineer,  
14 SCS, to do that.

15 And then I'm independently, actually,  
16 contracting with a third party engineer to review that.  
17 So that when we submit that document, basically, not  
18 only do I have my engineers' review, I have a third  
19 party review to make sure that we get it right the first  
20 time. And so that letter will recommend any changes to  
21 the design of the cover, if necessary, on 8, for storm  
22 water in particular.

23 So that's where we're at with 10 and 8. We're  
24 trying to move to 8, and that will happen as soon as we  
25 can get the asphalt done on 10.

1 FACILITATOR KERN: Thank you.

2 MS. FANELLI: You're welcome.

3 FACILITATOR KERN: I appreciate your thought,  
4 Julie, and I'll have you make your report.

5 Sam, and then Julie, do you have comments on  
6 the 10?

7 MR. BERMAN: I'm just wondering if there was  
8 any settlement of the parking lot on 10 as a result of  
9 the runoff.

10 MS. FANELLI: No, absolutely none, absolutely  
11 none. I'm feeling very comfortable about the actual top  
12 deck stabilization. Basically, all of that fill --  
13 there's general fill, and then underneath the pavement  
14 there's what we call an engineered section. But even  
15 the general fill is all built up silt, regular  
16 grain-size and compacted in place.

17 So it's actually constructed very well. We've  
18 seen no settlement at all. The problems that we've had  
19 is with the sand, because it's nonconsolidated material  
20 and it has no cohesion, and we've learned our lesson  
21 about how to design and work with sand. It's a tricky  
22 medium.

23 MR. BERMAN: Is there any specific drainage  
24 under the parking lot at all?

25 MS. FANELLI: There are. There are storm water

1 collection swales. We kind of call them bioswales, but  
2 they are a --

3 MR. BERMAN: They're not under, though?  
4 They're to the side, right?

5 MS. FANELLI: They're in the center, where the  
6 cars come in to park, and it's a dirt swale that's lined  
7 with an HTPE fab -- material plastic. And it's designed  
8 so that -- normally, your first rain is a gentle rain  
9 that washes off your accumulated -- as opposed to a  
10 downpour -- your accumulated gunk on the parking lot.  
11 That would wash into this dirt, earthen area that would  
12 give it passive treatment.

13 And then there's also the equivalent of drop  
14 inlets, so that if you had heavy flows, you're not  
15 relying on infiltration rate. You're actually going to  
16 have your water go into the drop inlets, and that is  
17 connected to the SFPUC's, San Francisco Public Utilities  
18 Commission, combined source storm water system.

19 MR. BERMAN: Has that ever backed up?

20 MS. FANELLI: No. It's actually quite a large  
21 design. We've had very good drainage. In October, that  
22 system wasn't active and we didn't have pavement or  
23 curbs, so we had a lot of run-on to the site in October.  
24 Since we got the curbs in place and that drain opening,  
25 we've had no problem on the top deck. And as a matter

1 of fact, we're collecting water in the area by the  
2 overlook. We're actually pumping to that bioswale so  
3 that it goes into that dirt and then is captured.

4 MS. CHEEVER: Well, I have sort of two and a  
5 half questions. The first one is, we have been able to  
6 see letters or recommendations from two agencies, the  
7 DTSC and the Water Board, regarding the damage or  
8 recommendations of what needs to be done.

9 But had there also been letters from and  
10 reports to the U.S. Fish and Wildlife Service about  
11 damage to the habitat below the slope of landfill 10,  
12 could we see those or get copies of them?

13 MS. FANELLI: After the first October storm  
14 events, there was a notification visit by the U.S. Fish  
15 and Wildlife Service that Terri from the Trust and Sue  
16 Fritzke from National Park Service went out and did an  
17 assessment. And then we were waiting -- we had some  
18 recommendations for removing that silt that had gotten  
19 deposited in the October storms. We were then waiting  
20 for direction from U.S. Fish and Wildlife Service.

21 We recently had a meeting last Tuesday, and  
22 Brian was there as well, with U.S. Fish and Wildlife  
23 Service. And Lou from Terri's staff, Sue, and Max  
24 Busnardo from HT Harvey actually went back out to that  
25 same area and updated the assessment of the silt and the



1 sand and came up with recommendations, and that letter  
2 is being currently drafted to go back to U.S. Fish and  
3 Wildlife with recommendations for how to repair that  
4 area.

5 So that communication had never stopped,  
6 really, since October. It has just taken longer because  
7 they're a more formal sort of agency, I guess, and we  
8 are working with them to determine what are the best  
9 options. We are anticipating removing the silt.

10 MS. CHEEVER: On the ground?

11 MS. FANELLI: From the ground, as originally  
12 envisioned that we would do, and I'm working with Sue on  
13 her schedule to try and do it in the next several days  
14 to see that that silt is still present out there.

15 And in terms of letters --

16 MS. CHEEVER: Would it be possible for us to  
17 get a copy of the final letter with the recommendations  
18 that's being developed?

19 MS. FANELLI: You know, I want to make sure  
20 that the two agencies are comfortable since it's an  
21 informal consultation at this point, until we've reached  
22 agreement with U.S. Fish and Wildlife.

23 MS. CHEEVER: Okay.

24 MS. FANELLI: But I don't see a reason why at  
25 this point, because we've normally shared most of the

1 documents.

2 MR. ULLENSVANG: Yes, I don't have any problem  
3 with that.

4 MS. FANELLI: So let's just double-check. And  
5 when it's done, I don't see why it shouldn't go out.

6 MS. CHEEVER: The next two questions come from  
7 my living fairly near there. I've been in touch with  
8 some neighbors, which is part of the point of the RAB,  
9 anyhow.

10 So on Martin Luther King Day, January 18th,  
11 which was the morning of a very intense storm, somebody  
12 whose house overlooks Lobos Creek told me that more  
13 sediment had been deposited in Lobos Creek that morning.

14 One thing I was struck with, just looking at  
15 landfill 10, was that there was an area on the northern  
16 lower part of the slope, which I know from your letters  
17 they're still putting sand on, that was left uncovered,  
18 the lowest part of the northernmost part of the slope.  
19 And this is where there were a number of gullies that  
20 were 12 to 18 inches deep.

21 So I'm just wondering how it happened, given  
22 that there was a prediction of a week of rain, that that  
23 was left uncovered.

24 MS. FANELLI: That is actually the final  
25 design. That is a design that was agreed to with all of

1 the parties, was to have the sand at the toe like that,  
2 and --

3 MS. CHEEVER: And no jute on top of it?

4 MS. FANELLI: No jute on top of it. That  
5 wasn't designed.

6 MS. CHEEVER: I see.

7 MS. FANELLI: And so the damage occurred, and  
8 that's how we've learned our lesson that maybe that  
9 wasn't the best design that we were looking at. Earlier  
10 I said that a lot of that was instant precipitation, or  
11 I said that issue wasn't attributable 100 percent to the  
12 contractor. Some of it was, because they had some focus  
13 runoff. A lot of it was also just instant precipitation  
14 sheathing off of the slope that didn't have material --  
15 excuse me -- plants on it. It did have fabric on it.

16 So it's a combined problem, and that is the  
17 sand that did discharge that was mapped. It was added  
18 to the map with the U.S. Fish and Wildlife Service that  
19 I mentioned earlier, if that makes sense. So that was  
20 never designed to be covered.

21 MS. CHEEVER: So the last half question was,  
22 which I specifically had asked, to ask about the  
23 planting. I know you said, "As soon as possible," but  
24 would that mean days, within days, within weeks -- or  
25 maybe Brian can answer this -- or within months that the

1     planting might start?

2             MR. ULLENSVANG: Days or weeks, not months.

3             MS. CHEEVER: Okay.

4             MR. ULLENSVANG: It will depend on the sediment  
5     and the concurrence on the assessment of the cover  
6     condition, but then it should be days after that.

7             MS. CHEEVER: Okay. And that would be on a  
8     significant part, but we don't know whether it would be  
9     half of the slope or --

10            MR. ULLENSVANG: I haven't seen any of the  
11    assessments from the Trust yet, so I don't want to say  
12    how significant or not it will be.

13            MS. CHEEVER: Okay. Thank you.

14            MS. KRAMER: Who prepared the design of the  
15    sand at the bottom? What sort of training or background  
16    do those people on the Trust staff have? I mean, they  
17    probably aren't civil engineers if they were suggesting  
18    sand at the bottom.

19            MS. FANELLI: Well, there were civil engineers  
20    involved in the design of the slope, and then the sand  
21    was placed in the toe, in concert with both Park Service  
22    and the Trust Natural Resources. Our goal was to make  
23    that and extend the habitat, and ultimately it will  
24    still serve as that.

25            The problem was that it was -- where the hiccup

1        occurred -- I'm looking for a word -- was that the  
2        analysis of really the volume of sheath flow hitting  
3        that as it came down and the volume coming off the  
4        northern end that affected the toe, so it was sort of a  
5        combination of sheath flow off the unvegetated slope  
6        where the sand was and some erosion coming off. It ate  
7        more of that sand than we thought it was going to eat,  
8        obviously, and it discharged.

9                So the design was the whole process. The  
10       design drawings are stamped by a civil engineer. They  
11       were developed in collaboration with the different  
12       stakeholders and the parties, and they were submitted  
13       and approved, and we constructed it. And we had a  
14       problem, so that's what we're fixing now.

15               MS. NEWTON: Julie, what was it that your  
16       neighbors saw going into Lobos Creek? What was filling?  
17       Is it sand or is it silt or --

18               MS. CHEEVER: I don't know, some kind of --  
19               On January 18th, did you see any evidence of  
20       it?

21               MS. FANELLI: No. Actually, there was no  
22       reports from our water treatment plant of any turbidity  
23       problems or any issues associated. The 18th is the  
24       storm that ate the sand at the toe, but none of that  
25       affected creek.

1 MS. CHEEVER: Well, this is somebody's house  
2 that is at the end of 21st Avenue, not 15th. It happens  
3 to be a very low house, and he says his deck is very,  
4 very close to -- his back deck is very close to Lobos  
5 Creek.

6 And so I asked him, "Did you actually see dirt  
7 going into it?"

8 He said, "Yes," but I don't have any details  
9 other than that.

10 MS. FANELLI: All I can tell you is that one of  
11 the first calls I made that morning was to our water  
12 treatment plant to make sure that there was no impacts,  
13 and there were none.

14 MS. CHEEVER: They didn't see increased  
15 turbidity?

16 MS. FANELLI: Well, every storm they see slight  
17 increased turbidity, because it's a very shallow creek.  
18 And just the instant precipitation on the creek stirs  
19 things up, but there was nothing -- but you're talking a  
20 few points. You're not talking anything like when we  
21 actually had the first October discharge.

22 So no, I'm not aware of any impact. I would  
23 say at this point there was nothing from landfill 10,  
24 the construction site, that affected Lobos Creek on the  
25 18th.

1 MS. CHEEVER: Okay. I guess it's a mystery.

2 MR. BERMAN: Well, isn't it possible that some  
3 visible turbidity would not show up as a significant  
4 amount by the time it got to the treatment plant?

5 MS. FANELLI: You know, we would see where that  
6 erosion was coming from, where that sediment was  
7 discharging. And that portion of the creek had no sand  
8 discharge, no erosion line was clearly visible from the  
9 October events.

10 FACILITATOR KERN: Jan.

11 MS. MONAGHAN: I think in the previous  
12 conversation, when we talked about the sedimentation at  
13 one end of Lobos Creek, and that was later -- the pool  
14 was later removed. The sand was later removed that went  
15 into Lobos Creek from the downhill erosion.

16 MS. FANELLI: There was sand that was located  
17 in the upper dry portions, the ephemeral portions, of  
18 the creek, behind some low sand beds that we have put  
19 in. That material was removed quite a while ago.

20 MS. MONAGHAN: I think as part of that  
21 conversation, as I recall, that visual observations were  
22 done of Lobos Creek, and it didn't appear that there was  
23 anything amiss in the water quality. So I'm wondering,  
24 because of the amount of erosion and damage that we have  
25 had, is the Trust planning to actually test the creek

1       itself for potential chemicals in the finer matter?

2               MS. FANELLI: Not associated with landfill 10,  
3       no. Lobos Creek is its own separate site, which is not  
4       rolled up onto the schedule yet. And we'll be working  
5       on what needs to be done with Lobos Creek when we get to  
6       Lobos Creek, but no, we are not planning on doing any  
7       sampling associated with sediment releases from landfill  
8       10.

9               MS. MONAGHAN: Well, back to this point of the  
10       neighbor seeing something going into Lobos Creek, that  
11       would concern me if I were in the Presidio drinking the  
12       water supply. I would like to be assured that the  
13       quality of the water is such that it doesn't have any  
14       harmful chemicals, and we have had really sort of a  
15       disaster in landfill 10.

16              So I'm asking again, are there any plans to  
17       sample water to make sure that it is the quality that it  
18       should be, that there is no sedimentation or any  
19       chemicals of concern in the water?

20              MS. FANELLI: Water is sampled routinely for a  
21       variety of contaminants under a Department of Health  
22       Services permit, because we sample both the raw water,  
23       which is the water before it goes through the treatment  
24       plant, and we sample the finished water, which is the  
25       water after it's been through the distribution system.



1       So that testing has always been ongoing and continues to  
2       be ongoing to document that the water is safe for  
3       potable use.

4               MS. MONAGHAN: Chemicals had ended up in the  
5       particulate matter, the finest part of the sand in Lobos  
6       Creek. Would that be of a concern?

7               MS. FANELLI: Our studies and findings today do  
8       not indicate that there are particulates or chemicals of  
9       concern in the sediment that would warrant sampling, so  
10      at this point we're not planning to do any sampling  
11      associated with the sedimentation events from landfill  
12      10. However, there may be sampling like the sampling  
13      that may be done as part of the future assessment of  
14      Lobos Creek, because it is a separate site that is  
15      identified within the consent agreement with DTSC, and  
16      so there may be other issues associated with that.

17              But as of today we are not planning to sample a  
18      sediment in the creek as a result or related to landfill  
19      10.

20              MR. BUDROE: Well, that kind of got me on that  
21      last one. You said that we know that there's anything  
22      in the sediment, so you're not going to sample. Well,  
23      how do you know there's not anything in the sediment if  
24      you don't sample?

25              MS. FANELLI: We have done our assessment,

1     which was submitted. It is under review by the original  
2     Water Quality Control Board. A copy was also submitted  
3     of the potential impacts to Lobos Creek from the  
4     sediment discharge, and a copy of that was actually  
5     e-mailed to all of you, because I sent it to all the RAB  
6     members. You have a copy of that report. I would point  
7     you to that report as the basis for our decision that  
8     there were not any impacts to Lobos Creek, and we are  
9     not planning to sample the sediment at this point.

10           MR. BUDROE: I'd have to take issue with that  
11     report, then, because that's -- you know, there's been  
12     too many reports of sediment going into the creek. And  
13     if you don't sample that sediment, you have no way to  
14     know what's in there, zero data. You're kind of making  
15     a bunch of assumptions, but you don't have any grand  
16     truth. Evidently, it's not that big of a concern for  
17     the Trust at this point, which is kind of bothering me.

18           MS. FANELLI: I think the Trust is happy to  
19     take comments on the report. If you have some specific  
20     comments, we're more than happy to receive them, as I'm  
21     sure the regional board would be happy to receive them,  
22     or DTSC. But our findings and studies are documented in  
23     that report at this point in time.

24           MS. FARRES: Well, I don't know if there is a  
25     misunderstanding. You know, according to that report,

1       some sampling was done in the sediments.

2               MS. FANELLI: Right.

3               MS. FARRES: And based on that, they decided  
4       that no further sampling is required. So it's not that  
5       there's zero data and no sampling was done at all. Some  
6       sampling has been done.

7               MR. BUDROE: What was the date of that  
8       sampling?

9               MS. FARRES: The date, I can't remember off the  
10      top of my head.

11              MS. FANELLI: It's the first week in December.

12              MS. FARRES: Yes.

13              MR. BUDROE: Okay. So there's been a lot more  
14      opportunities for sediment to come off that landfill and  
15      go into that creek since then.

16              MS. FANELLI: We have had no discharges of  
17      sediment to that creek since that time.

18              MS. FARRES: Not since October.

19              FACILITATOR KERN: The confusion that I have  
20      is, there were sediment samples but there were no  
21      sediment samples taken in the creek.

22              MS. FARRES: Within the creek, right.

23              MS. FANELLI: That's right. It was within the  
24      creek corridor in the ephemeral portion. And based on  
25      that and the characterization of the material, the

1 discharge, there was nothing that indicated the need for  
2 further sampling, and there was no observed sediment  
3 deposits in the creek itself.

4 MS. NEWTON: And this was in December?

5 MS. FANELLI: This was in December, the first  
6 week of December, and it's all in a documented report  
7 that I e-mailed. And I'm more than happy to e-mail it  
8 again if you deleted it. It's a big file.

9 MS. NEWTON: But it is possible that subsequent  
10 to December things have changed?

11 MS. FANELLI: No. Actually, our position at  
12 this point is no other discharge from landfill 10 has  
13 made it or gotten into the creek, so there is no  
14 discharge from -- there's been no erosion that has  
15 impacted Lobos Creek since the first two October events.

16 FACILITATOR KERN: I walked the creek today,  
17 and I was looking for sediment, and I found sediment  
18 that looked new. I took some photos. I can bring  
19 people to the site. Other people can make judgments, if  
20 they would like to. I'm not suggesting that the  
21 sediment is post the October event. That was clearly  
22 the one where things were cut into the landfill.

23 But my look at the creek is, there are places  
24 where you see sediment pretty high up on logs that still  
25 remains. I didn't disturb it. I didn't walk in places

1     today where I thought this was new sediment, so I'd be  
2     happy to show anyone. I think there's evidence that  
3     there has been sediment deposited in the creek. I think  
4     it's worth sampling, just to make sure.

5             MS. NEWTON: I agree, especially if there are  
6     neighbors, and we are supposed to be concerned about our  
7     neighborhood. That's why we're here. And if there is  
8     concern coming from the people that live around there,  
9     and I would suspect the people that live in the Presidio  
10    would feel the same way that consume the water, I don't  
11    think it would hurt to make sure that after all these  
12    huge storms we've had that we do some testing again.

13            FACILITATOR KERN: Well, I mean, I got the  
14    report the same time everybody else did, which  
15    unfortunately I actually got it the night of the RAB  
16    meeting, and I felt a little bit -- well, I was  
17    completely inadequate to comment on it. So I have taken  
18    the time to go look at it, and I can offer the photos  
19    and I can bring people to the site, and you can decide.

20            MS. FARRIS: Well, when the Water Board  
21    required the Trust to prepare this report, our main  
22    concern was impacts to the riparian habitat. We didn't  
23    think that there was any threat to human health, and we  
24    still don't. We don't expect the drinking water to be  
25    an issue.

1 MS. NEWTON: And you believe that because  
2 you've checked it out?

3 MS. FARRES: Because of what happened during  
4 the October storms, the sediment is mostly -- it's clean  
5 filled. I believe landfill 10, the driver is for  
6 ecological receptors, mostly.

7 MS. FANELLI: Primarily, yes.

8 MS. FARRES: Our main concern was not chemical  
9 contamination in the creek, but sediment loading into  
10 the creek, increased turbidity, which impacts wildlife  
11 and the habitat, but not so much even health. And, you  
12 know, turbidity would make the water less drinkable, but  
13 according to the treatment plant, that hasn't been an  
14 issue since the first two weeks after that October  
15 storm, so we don't expect any health issues from this.

16 FACILITATOR KERN: I guess what I noticed, my  
17 observation, is up near the top of the creek, there's an  
18 area that kind of funnels into the creek and then it  
19 gets quite narrow. I mean, the creek is only this wide  
20 at the very top, and I think in that October storm -- at  
21 least my concept -- and there's actually a fair gradient  
22 going down, and that only flattens out around 18th  
23 Avenue, so that's actually two blocks down the creek  
24 where I could -- I did not see sediment in the creek  
25 along those two blocks.

1           But where the gradient lessens, you begin to  
2   see evidence of new sediment. And then further down,  
3   there's actually -- on 18th, there's an area where it  
4   appears that plants have been partially buried by  
5   sediment. I don't know how far the report went down the  
6   creek, but that's an alternative view.

7           I also have a couple of things that I wanted to  
8   report on landfill 8 and 10. I walked that today.  
9   Landfill 8, I would like to say that I think there's  
10   been good progress on the surface. There has been some  
11   smoothing out and some -- I'm not exactly sure what  
12   technique was used, but perpendicular to the direction  
13   of the gullies that were created there's been some  
14   grooving, for lack of a better word, in that top  
15   surface, which --

16          There's a pond that was developed in back of  
17   the -- it's sort of by the parking lot, and those  
18   grooves are spreading out the water. It doesn't seem to  
19   be forming a gully yet. There are some areas where  
20   those grooves have been cut through. I want to let you  
21   know about that, that the crossway grooves have been  
22   kind of smoothed out by some erosion. I mean, it is  
23   sand. I think that has been useful. There may need to  
24   be some maintenance of that or changes. I'm not sure if  
25   that's a temporary condition or what.

1           At 10, there seems to be some evidence for  
2 continuing erosion there of the sand. I'm seeing  
3 channels within the banks of sand, new channels cut in  
4 those. I have the pictures here. There are some new  
5 hay bales that have been installed, which seem to have  
6 trapped a lot of sand. But the sand is now over-topping  
7 some of those. So I want to let you know that those are  
8 helping, but they're not being maintained. They need to  
9 be dug out and the sand put somewhere else.

10           MS. FANELLI: When did you make your  
11 observation?

12           FACILITATOR KERN: This was today at around  
13 noon, 1:00ish.

14           MS. FANELLI: I just want to clarify that it  
15 rained last night and that our contractor does maintain  
16 those. They weren't working today, because they were  
17 waiting for the rain. They will be out there  
18 maintaining those tomorrow, so I just wanted to clarify.  
19 You said that they're not being maintained, and that's  
20 not 100 percent correct. Our contractors are out there  
21 during the sampling. That is their job.

22           FACILITATOR KERN: I don't know when the last  
23 time it would have been cleaned, but there are some --  
24 the wattles at the bottom, some of those are being  
25 overrun as well. Some are still undercut. I'm really



1 just letting you know that that's ongoing. Those are  
2 some of the issues that I saw today on 8 and 10.

3 Any other discussion on that or Lobos Creek?

4 MR. BERMAN: I'm just wondering, if I could  
5 ask, just about the procedures here. Eileen says that  
6 the contractor is doing the monitoring and any  
7 additional work that has to be done to maintain the hay  
8 and the other stopgap measures. Is there a daily record  
9 of what they do?

10 MS. FANELLI: There is, and I'll double-check  
11 to make sure that they are doing maintenance, but they  
12 are required to after the storms. I mean, the sand  
13 moves, so we get sand accumulated behind the hay bale  
14 check dams after every single storm, and that's why it  
15 was brought up.

16 We had rain last night, and it was -- at least  
17 in my neighborhood, it was pretty good. So I don't know  
18 if that accumulation was from that storm or not, but  
19 they are required to clean it up. We do have our  
20 monitors in line out there. I will double-check, but  
21 they are supposed to be maintaining it throughout the  
22 season.

23 MR. BERMAN: Do they make a weekly report or a  
24 daily report?

25 MS. FANELLI: They do a daily log. If we have

1 a construction inspector, we'll keep a daily log  
2 documenting exactly what the contractor does. So I can  
3 easily check on that and determine that they're doing  
4 their maintenance.

5 FACILITATOR KERN: I can give you the photos,  
6 if that would be helpful.

7 MS. FANELLI: I'm sure I can go up there and  
8 see if it's not dug, but thank you.

9 FACILITATOR KERN: Sure.

10 Okay. Anything else on those sites?

11 MS. MONAGHAN: I have one other question about  
12 landfill 8. So the sand that washed down behind the  
13 houses and things that got put back up, are we testing  
14 or are we going to put more clean sand on top?

15 MS. FANELLI: We'll put more clean sand back on  
16 top of it, basically.

17 MS. MONAGHAN: So do we test down by the houses  
18 to make sure we got all the dirt picked up?

19 MS. FANELLI: We basically took everything down  
20 to below the previous grade.

21 MS. MONAGHAN: Okay.

22 MS. FANELLI: At this point, we -- the majority  
23 of the sand that was discharged, it was a combination of  
24 the cover sand, which was cleaned, a little bit of the  
25 waste, and then a huge amount of the underlying native

1 dune sand that got away.

2 MS. MONAGHAN: Right.

3 MS. FANELLI: So we've done a visual clean  
4 closure. If we need to sample, we haven't made that  
5 determination.

6 MS. MONAGHAN: But eventually we'll have to  
7 test the whole top anyway, right, at the end of the  
8 project?

9 MS. FANELLI: Not the clean sand cover. We  
10 would not test.

11 MS. MONAGHAN: That's not tested. Okay.

12 MS. FANELLI: So the material that we put back  
13 and bury, we would just bury it, because the sand cover  
14 is clean. It is tested. The material is at graded area  
15 9.

16 MS. CHEEVER: I do have one more question that  
17 we asked in November. What about all the expense of  
18 this; is the contractor bearing it or is it coming out  
19 of the remediation budget?

20 MS. FANELLI: Things that are clearly to the  
21 contractor's account, we're holding the contractor  
22 responsible for. Some things were to our account. So  
23 for example, the contractor at the toe, the contractor  
24 built the design as designed, so a lot of that damage  
25 will not necessarily be to his account. Some of it

1 might be, but not the majority of it. A lot of the  
2 other damage to the cover, because he's in control of  
3 run-on, would be to his account. We're working through  
4 that with him.

5 At this point, again, I don't have final  
6 numbers that indicate if we're going to be significantly  
7 outside of our budget. I'm still hoping not, but we are  
8 looking at that, given that we are probably winterizing  
9 and delaying some other actions.

10 MS. CHEEVER: Thanks.

11 MR. CHESTER: DTSC has bought off on your  
12 actions at landfill 10 with the sand that came down into  
13 where those houses were.

14 MS. FANELLI: We're doing a report for them in  
15 response to a letter they sent us, and we're reassessing  
16 that final design, and we're going to be doing that  
17 repair. We'll share with DTSC that design before we  
18 implement it, and all of that work is in progress. It's  
19 on somewhat of a fast track, but we're looking at first  
20 the repair design, which is not a real complicated  
21 design, just to tell you the truth, just getting it back  
22 and getting it stable. It is sand, so we're looking at  
23 stabilization and what's the best way to do that.

24 Then we are reevaluating the cover and how to  
25 make sure -- I think I described this earlier. We're

1 reevaluating the cover. SCS is looking at its stability  
2 relative to what they've learned about storm water, and  
3 I will have a third party engineer take a look at it.  
4 There may be some modifications to the base grade or  
5 final grade based on that.

6 MR. CHESTER: Okay.

7 MS. KRAMER: What can they do with sand? I  
8 mean, sand has no structural strength whatsoever. The  
9 only thing that seems to me that might hold it down  
10 would be roots of plants, but that's going to take years  
11 and years and years.

12 MS. FANELLI: There's geotextile fabric that  
13 can give you lateral support and tension, and so that's  
14 probably what they're looking at right where the failure  
15 was in the dune sand, the native dune sand. They will  
16 rebuild that slope and probably do some type of  
17 reinforcement. It could be with retaining walls. It  
18 could be with the geotextile. We're just looking at  
19 those options, but one of those will likely be  
20 implemented.

21 And the sand on the top is flat, basically, so  
22 we don't expect a lot of problems, but we want to look  
23 at that one edge in particular and make sure that it is  
24 stable over the long run. So there may be a modified  
25 treatment of that edge closer to the Wyman houses for

1 cover.

2 FACILITATOR KERN: Anything else on these  
3 sites?

4 If there are questions that you have after the  
5 meeting or tomorrow, you wake up in the middle of the  
6 night dreaming about landfill 8 and 10, which  
7 unfortunately I do, go ahead and write those questions  
8 down, and we'll try to address them.

9 Moving on to RAP 5, fill site 1, landfill 2,  
10 I'll continue with what Julie has recommended.

11 Do you have anything that you'd like to report  
12 on?

13 MS. FANELLI: Just that our tree removal is  
14 basically getting close to being done. We are planning  
15 to be done by the end of the month, and the contractor  
16 has been grinding up the big trees with his chipper. So  
17 that seems to be being able to be wrapped up on  
18 schedule, on time.

19 And then, as you all know, the preliminary  
20 rough draft is out. That, I haven't e-mailed to the  
21 group.

22 I think you guys are posting it.

23 MS. TSUJI: I believe it was posted shortly  
24 after we received it, and those folks that gave me their  
25 e-mail addresses should have gotten an automated message

1 from our system saying that a new document was posted  
2 with the document name. If you click the link, it would  
3 take you automatically to the Web page for the Presidio.  
4 It has the document, and you kind of have to scroll down  
5 and find the document name to actually access the  
6 document itself.

7 As I recall, Medi said she posted it about the  
8 22nd, 23rd, perhaps somewhere around there, of January.

9 FACILITATOR KERN: Let me ask the general  
10 question, then. These come with a title like  
11 EnviroStor, update, or something to that effect?

12 MS. TSUJI: The e-mail from is -- it's  
13 automatically -- I believe it says,  
14 "envirostorhelpdesk@dtsc.ca.gov," is the address from  
15 the sender.

16 FACILITATOR KERN: So is there anyone who would  
17 like to receive those automated updates that isn't  
18 getting them?

19 MS. BLUM: I put my e-mail address in, and I  
20 didn't get a notification.

21 MS. FANELLI: I have them as a group. I'll see  
22 if I can e-mail you the group of the RAB.

23 MS. TSUJI: Let me see if my organizational  
24 skills are going to fail me. I know it's hidden here  
25 someplace. All right. I have hidden it so well, I

1       can't find it.

2               MS. CHEEVER: But she said she'll send you the  
3       entire community RAB list.

4               MS. TSUJI: If the RAB wants me to upload the  
5       entire RAB list, we can do that.

6               MS. MONAGHAN: I think that's the easiest  
7       thing.

8               MS. TSUJI: I believe we've got it in  
9       preparation of something else. If I don't have it, I'll  
10      call you.

11              MS. FANELLI: Yes, okay.

12              MS. CHEEVER: It's only 15 or 20 names.

13              MS. FANELLI: Seventeen names.

14              MS. CHEEVER: Seventeen names, yes.

15              MS. TSUJI: We will include everyone. My to-do  
16      list is growing.

17              MS. FANELLI: I know that it's a large file,  
18      and they've changed the Trust, and I know EnviroStor is  
19      the best place to go to get it. But in the short run if  
20      I can get it to go out -- it's a little bit over ten  
21      megabytes. If I can compress it or zip it, I can try to  
22      shoot it to people just for the short-term.

23              MS. TSUJI: So just checking, did some people  
24      get the e-mail?

25              MS. MONAGHAN: I did.



1 MS. TSUJI: It's just, perhaps --

2 MS. MONAGHAN: Send it to her.

3 MS. TSUJI: We'll get everybody up there.

4 So anytime either of the project managers that  
5 uploads a document -- it's a cumbersome system -- for  
6 public review or public viewing, you'll get an automated  
7 e-mail.

8 MS. MONAGHAN: Okay.

9 MS. TSUJI: And what I have instructed both  
10 Medi and Bob -- typically the system does not  
11 automatically do the uploads to the public portion of  
12 the database, but only for those final approved  
13 documents. And I know that's not the time you want to  
14 see it. You want to see it while we're working on it.

15 So I've instructed them that as we receive the  
16 drafts under our review and comment, that those be also  
17 uploaded to the public Web page. In which case, the  
18 current draft of RAP 5A is the draft under current  
19 review.

20 MR. YOUNGKIN: Is there a public comment period  
21 for this one?

22 MS. TSUJI: There will be. I was going to -- I  
23 can do it now.

24 Formally, we are required to have a 30-day  
25 comment period, where we publish in the newspaper and we

1 hold a meeting, a public meeting, but that comes after  
2 the department has reviewed and commented. And we, the  
3 department, are ready to say, "This is a final draft of  
4 the RAP 5A, and we are soliciting public comment on it."

5 So what you're getting is, essentially, like a  
6 working draft, as Medi is reviewing it.

7 What I was going to talk about when it was my  
8 turn for Regulatory Updates, but I might as well do it.  
9 We were planning on having a roundtable meeting,  
10 discussion, so RAB members could attend and give us your  
11 thoughts and ideas of what you see currently in this  
12 working draft.

13 Mr. Ketchem of the RAB was kind enough to offer  
14 the high school that he teaches at, I think. We can do  
15 it the week of the 22nd, but I know you guys have a lot  
16 of meetings. If you would like, I can have Medi come to  
17 the next RAB meeting on the 23rd and just have a working  
18 session, if you'd like. I'll leave that up to the RAB  
19 for your instructions.

20 MR. YOUNGKIN: It sounds good to me to do it  
21 during this committee meeting.

22 MS. MONAGHAN: And have it at the school  
23 instead of the Presidio. That's fine.

24 MS. FANELLI: That's perfectly fine with me.

25 MS. TSUJI: The school isn't available on the

1 23rd. The school is available only the 22nd and the  
2 24th.

3 MR. YOUNGKIN: Monday to Wednesday?

4 MS. TSUJI: Yes.

5 MS. FANELLI: Is it available -- well, next  
6 week is a short week because of the holiday.

7 MS. TSUJI: Well, they offered the 11th, but I  
8 thought that was a little unfair to spring it on you  
9 even late last week.

10 MS. MONAGHAN: Yeah.

11 MS. BLUM: Is it possible to move the committee  
12 to a Monday or a Wednesday so we can take advantage of  
13 the location?

14 FACILITATOR KERN: You know, over the years  
15 whenever we have tried that, we get half the attendance,  
16 instantly. Half the people either don't remember or  
17 can't make it, so we just have really shied away from  
18 trying to change that date.

19 MS. CHEEVER: Is this roundtable for the public  
20 as well, so you actually expect it to be a large public  
21 meeting?

22 MS. TSUJI: No. I don't want to couch it as --  
23 it's really kind of an open session for you guys to talk  
24 about what you see in the RAB, where you see good  
25 things, bad things, and share that so Medi can hear.

1 And as we do our review, we will keep in mind the points  
2 you have brought up to see if, you know, there's  
3 something we didn't think about. I mean, there's lots  
4 going on, so we didn't think about, where your view is a  
5 little different than ours. So we can then kind of talk  
6 about it and decide whether or not we want to expand our  
7 comments, include it as a comment.

8 It may be that we need to come back to you and  
9 explain, "Well, we don't believe it's an appropriate  
10 comment for the department to make" or, you know, "we  
11 need to defer to another agency because it's their  
12 jurisdiction," so that you kind of understand what we do  
13 all behind the scenes to get the final draft out to you.

14 Typically, that is the only real direct  
15 opportunity the public has to comment, and it's a very  
16 compressed -- you know, we have a recorder. You get  
17 three minutes to kind of say your piece about it.  
18 Depending on the number of commenters we have, sometimes  
19 we can have dialogue and share information.

20 There are public meetings where there are so  
21 many commenters that all we can do is give everybody  
22 their three minutes and come up and say their say. Then  
23 the next time you hear from us is in a response to  
24 comment document. Again, there's communication from the  
25 department but nothing real direct and, you know, kind

1 of organic, where you can pick our brains.

2 MR. BUDROE: Of course, you can submit written  
3 comments in addition to whatever verbal comments,  
4 correct?

5 MS. TSUJI: Yes. There's nothing preventing  
6 you right now as you look at a document to send Medi an  
7 e-mail saying, "Hey, I saw this in the draft RAP. Here  
8 are my thoughts."

9 It doesn't have to be at the round table.  
10 You're welcome to contact the project manager, you know,  
11 straight away.

12 FACILITATOR KERN: Well, I really welcome the  
13 opportunity to have such an informal discussion. I  
14 think that is really preferable to the more formal  
15 three-minute thing. So if we can arrange that, I think  
16 that would be very help for us.

17 MS. MONAGHAN: 22nd, please, Monday.

18 FACILITATOR KERN: On the 22nd, Monday,  
19 because?

20 MS. MONAGHAN: Well, it's the first date that's  
21 available, and let's do it that day.

22 FACILITATOR KERN: Instead -- I mean, change  
23 our meeting date?

24 MS. MONAGHAN: No, in addition.

25 FACILITATOR KERN: In addition to it?

1 MS. MONAGHAN: Yes. And then if people have  
2 things they want to talk about, they can show up at  
3 University High School and say it. Right?

4 FACILITATOR KERN: How are people feeling about  
5 the 22nd? Any objections? Any comments?

6 MR. BERMAN: What time would that be?

7 FACILITATOR KERN: It seems like it would be up  
8 to us, since it's a totally new meeting, but 7:00 is  
9 usually when we have our meetings.

10 MS. MONAGHAN: Does that work for you, Denise?

11 MS. TSUJI: I'm here at your disposal.

12 FACILITATOR KERN: Is there a better time for  
13 you?

14 MS. TSUJI: No, because I usually have a  
15 meeting to go to. If someone doesn't book it, somebody  
16 else will.

17 I guess, for the department, February 22nd,  
18 Monday, at 7:00, we can do it. I will just need to  
19 confirm that that day and time is still available from  
20 the high school.

21 MS. MONAGHAN: Okay.

22 MS. TSUJI: If not, can we use your 23rd  
23 meeting as our backup, rather than me having to come --

24 MS. MONAGHAN: Sure.

25 FACILITATOR KERN: Sure.

1 MS. NEWTON: Right. I think that makes more  
2 sense, so you don't have to do it twice.

3 MS. TSUJI: So then, I don't have to try and  
4 re-solicit a time. All right. So I will first try  
5 Monday, February 22nd, 7:00 p.m.

6 An hour and a half? I have not been in direct  
7 conversation with Mr. Ketchum, so I don't know his  
8 hospitality, how late he wants to stay.

9 MS. NEWTON: Where was this going to be?

10 MS. TSUJI: University High School.

11 MS. FANELLI: It's right outside the Presidio  
12 gate. It's on Jackson, so it's just a block to the  
13 east, block and a half to the east on Jackson.

14 MS. TSUJI: So if that day and time does not  
15 work out to use the high school facilities, then we can  
16 do it here.

17 MS. FANELLI: The Trust can set it up. We  
18 normally meet in 67, but I can see if this room is  
19 available or we'll find another room.

20 MS. TSUJI: Okay.

21 MR. CHESTER: And then the RAB would plan to  
22 meet on the 23rd as well, or is it in lieu of?

23 FACILITATOR KERN: Let's see how the date sorts  
24 out. That would be the primary reason probably to meet  
25 for the planning committee, would be the RAP 5, unless

1     there's another big rainstorm or problem. I wouldn't  
2     necessarily see having two meetings back to back.

3             MR. BERMAN: It would seem to me, unless I'm  
4     confused by the concept here, that if we have the  
5     meeting on the regular committee meeting night on the  
6     23rd and we restrict the discussion on the RAP 5 to be  
7     one hour and finish it at that time, then we'd have an  
8     hour left. And those people who are not part of the RAB  
9     can leave, and we can have an internal discussion with  
10    everything fresh in our mind and not have two nights to  
11    deal with this.

12            MS. NEWTON: That makes sense to me.

13            FACILITATOR KERN: Yes, well, I don't know that  
14    we would need two nights in a row.

15            MR. BERMAN: So it's just a matter of having a  
16    place big enough, which 67 doesn't offer that. And so  
17    the question is can we get some other venue.

18            MS. FANELLI: Let me find another Trust room on  
19    the 23rd. I can work on that. But maybe Jim's place  
20    can stay open two hours, and you can still have time for  
21    your kind of follow-up after that. I don't know. I can  
22    say that they have nice space, only because my kid went  
23    there. I've seen the inside of the school. They  
24    actually have a physical round table that's made out of  
25    wood that you could sit at, plus they have classroom



1 space.

2 FACILITATOR KERN: That sounds neat. We can  
3 have a nights of the roundtable.

4 MR. BERMAN: Well, I'm not so much concerned  
5 about the particular venue, but rather having two  
6 separate meetings on two nights to set a more timely  
7 schedule and do everything on the 23rd, which is the  
8 normal evening for the committee meeting. But the  
9 school is not available at that time, so the problem  
10 is -- I mean, if you want to have the school, then you  
11 can -- it seems to me, that's just incompatible with the  
12 idea of the committee meeting without changing the date  
13 of the committee meeting.

14 MS. MONAGHAN: I just want to thank you and  
15 Medi for volunteering to come and meet with us about it,  
16 and I'm available at any time you're ready. How's that?

17 FACILITATOR KERN: Let's work it out for -- you  
18 know, we really appreciate the opportunity to have such  
19 a meeting. If for some reason the Monday really works a  
20 lot better, I think we'd like to still have the meeting.  
21 But if it's still equally available to you on Tuesday  
22 and we can find a room, I think it would be easier on  
23 the mental process here, just because that's the normal  
24 meeting time.

25 MS. TSUJI: Well, Medi and I already talked,

1 and I didn't offer the dates if I knew Medi was not  
2 available, because she's the brain trust for that, not  
3 me, so she is available.

4 FACILITATOR KERN: Okay.

5 MS. TSUJI: And my schedule -- it's just me  
6 that I have to worry about, so it's easy enough for me  
7 to reschedule things. Any of those dates that I offered  
8 are doable.

9 FACILITATOR KERN: Okay. All right. Thank  
10 you. Well, it seems we have met in your space  
11 previously, so unless we were going to really overwhelm  
12 it, it seems like it would work.

13 Any objections to giving that a whirl on the  
14 23rd?

15 MS. FANELLI: No. If you guys are comfortable  
16 with Trust offices, I will find out if this room is  
17 available, besides 67. If not, I think we can probably  
18 fit in 67. We'll just rearrange some of the tables.

19 MS. TSUJI: What I will do then, is, while we  
20 await confirmation as to a specific location, we'll  
21 draft up a quick, little flyer to just say, hold the  
22 date and what to do. I will use the RAB e-mail list.  
23 It will be a test to see if it works or not, and  
24 tomorrow we'll upload the --

25 MS. FANELLI: Well, here's Jim, so maybe you

1 can ask him about the date.

2 MS. TSUJI: -- upload the flyer and send it out  
3 to the entire RAB.

4 MS. FANELLI: I didn't mean to interrupt you  
5 there.

6 MS. TSUJI: It's okay.

7 FACILITATOR KERN: Thank you very much, Denise,  
8 for that.

9 We might just take a moment, since Jim has come  
10 in, just to let you know that we've been talking about  
11 your kind offer to provide space for a meeting on  
12 Monday, February 22nd. Our normal meeting date would be  
13 February 23rd, so people were just saying, "If we had a  
14 space that could accommodate on the 23rd, we may as well  
15 do it then."

16 MR. KETCHEM: Okay. Yes, I'm pretty sure that  
17 we can have it, but I'll confirm with DTSC.

18 MS. FANELLI: So University High School might  
19 have space on the 23rd?

20 MR. KETCHEM: Yes, I'm almost sure they will.

21 MS. FANELLI: Okay. Great.

22 MR. KETCHEM: I was just answering on the dates  
23 that I got asked about.

24 MS. TSUJI: She probably didn't pick the 23rd  
25 because she knew you guys met here, that you've had your

1 fourth Tuesday RAB meeting.

2 FACILITATOR KERN: I see.

3 MS. FANELLI: So my action item has changed. I  
4 don't need to find a venue, right?

5 FACILITATOR KERN: I think that's right.

6 MS. FANELLI: Okay. Great.

7 MR. YOUNGKIN: And 67 will be our fallback.

8 MR. KETCHEM: So the 23rd.

9 FACILITATOR KERN: But Jim is going to find  
10 out, right.

11 Thank you.

12 MS. FANELLI: You're welcome.

13 FACILITATOR KERN: And thank you, Jim, for  
14 that.

15 MR. KETCHEM: No problem.

16 FACILITATOR KERN: Okay. Are there any  
17 thoughts about --

18 Oh, Denise, did you have anything else while  
19 you were talking about that?

20 MS. TSUJI: No. Everybody, I do have the  
21 monthly updates on the back table, so if you haven't  
22 picked it up.

23 FACILITATOR KERN: Does anyone have any  
24 thoughts or comments at this point about RAP 5A, the  
25 full site 1, landfill 2, if anybody has had a chance at

1 all to take a gander at that?

2 MR. BUDROE: Yes. Actually, I've taken a  
3 little bit of a look at this, and there was one item on  
4 here that I was wondering about. Actually, there's one  
5 item. The Trust proposes a site-specific cleanup level  
6 of two milligrams per gig for selenium and gives why  
7 they do it.

8 I was looking at regional screening level table  
9 that US EPA Region 9 put out and the protection of  
10 groundwater soil. The Risk-Based or MCL-based soil  
11 screening levels for selenium were about an order of  
12 magnitude less than what the Trust is proposing.

13 And I was wondering about why the disparity  
14 between the two.

15 MS. FANELLI: I don't think I can answer  
16 directly the question. I can just tell you that the  
17 screening levels are based on the eco risk numbers per  
18 soil, because the habitat is going to be in that area  
19 that's restored to native habitat, and that's the basis  
20 of the number.

21 MR. BUDROE: Okay. I have part of the  
22 document. I don't have the whole document yet, so I'll  
23 be coming up with more comments on there later.

24 As a general sense -- and I don't know who else  
25 has looked at this report -- there will be no

1 groundwater issues associated with the fill site 1 and  
2 landfill 2 as far as El Polin Springs.

3 MR. KETCHEM: If I read it right, what it said  
4 was that El Polin Springs was fine, especially because  
5 of the plan for how they were going to clean up fill  
6 site 1, landfill 2.

7 MR. BUDROE: Well, yes, that's -- the levels  
8 I'm looking at in the region nine table are protection  
9 of groundwater soil. Groundwater has got a way of  
10 making its way into things like springs. So this is one  
11 question I've got, not having all the documents. If  
12 anybody can answer this, are those two sites an issue  
13 for groundwater?

14 MS. FANELLI: I don't have a date, but there is  
15 groundwater monitoring data that goes back many, many  
16 years, I believe, to the Army's era, so that data is in  
17 the feasibility study, I think, that is also posted on  
18 EnviroStor and was approved by DTSC, the data report. I  
19 think it is. It's a data report for fill site 1,  
20 landfill 2. So there is ground water data, and I  
21 believe it's posted on EnviroStor. It goes back many  
22 years. And based on that, we have not seen any  
23 groundwater impacts, based on both well data and on  
24 spring data.

25 MR. BERMAN: Well, isn't there data on El Polin

1 sampling that goes back many, many years, and I don't  
2 think there's ever been any contamination reported, of  
3 anything that I've seen. So, you know, it would seem  
4 that there's a history, even though the two landfills  
5 are nearby. There's been plenty of opportunity for  
6 seepage to occur, and apparently it never has. Is that  
7 correct?

8 MS. FANELLI: That's our conclusion, and the  
9 remedy that's proposed is clean closure, so it's to  
10 remove the debris the Army deposited.

11 FACILITATOR KERN: Well, I would ask, is  
12 selenium mobile in the environment if it were to come in  
13 contact with -- if it were made available to runoff? I  
14 want to do some more investigation into the selenium  
15 issue that you've brought up. Maybe we can generate  
16 some more questions.

17 MR. BUDROE: One question, too, that I don't  
18 have the exact citation, because I don't have the pages  
19 here from the excerpt of the report that I was looking  
20 at. The document that essentially establishes the  
21 cleanup levels for the Presidio I think was dated 2006.

22 MS. FANELLI: Isn't it 2003, Brian?

23 MR. ULLENSVANG: I think there was an update in  
24 2006.

25 MS. FANELLI: Oh, yeah. There was one table

1     that was updated in 2006, but the majority of the  
2     document -- right now I don't know which table it was,  
3     but the document was written in --

4             Was it in 2002 or 2003?

5             MR. ULLENSVANG: Somewhere about that time.

6             MS. FANELLI: It was around 2002, 2003, and  
7     then there was an updated table. It was just one of the  
8     tables, and I forget which one it was. It had to do  
9     with one of the media that was updated in 2006.

10            MR. BUDROE: When does the Presidio plan on  
11    doing its next revision of that document?

12            MS. FANELLI: Right now we have no plan to  
13    revise it.

14            MR. BUDROE: Even though it's four years old?

15            MS. FANELLI: That's correct. Right now we  
16    don't have a plan to revise it.

17            MR. BUDROE: So you really don't know if  
18    there's any US EPA or Cal/EPA standards that have  
19    changed in the meantime?

20            MS. FANELLI: We do keep track, and we look at  
21    other documents, but that's the document that's our  
22    guiding document right now. That has been the basis for  
23    all of the program that we have implemented.

24            MR. BUDROE: Right. But what I'm saying is, if  
25    some of those underlying standards, the basis for that



1 document, has changed in the intervening four years, you  
2 wouldn't know. I mean, if there's no plan to revisit  
3 that document, you know, four years -- since it's four  
4 years old at this point, there may be numbers in there  
5 that are out of date, and without revisiting the  
6 document you wouldn't know.

7 MS. NEWTON: You mean standards that are out of  
8 date?

9 MR. BERMAN: No, no, cleanup levels.

10 MS. NEWTON: Cleanup levels.

11 MR. BUDROE: Well, cleanup levels, because  
12 cleanup levels are based on standards. Standards are  
13 based on data, and the data can change over time, so  
14 there may very well be the underlying standards that the  
15 cleanup levels are based on may have changed from 2006  
16 to 2010.

17 So I'm just -- what I'm asking is, since you're  
18 looking at a cleanup level list that's four years old at  
19 this point, you know, would it not be prudent to go  
20 ahead and look and see if those numbers are still valid  
21 or if some of those need to be changed?

22 MR. BERMAN: Do you know if the Region 9 the  
23 EPA level for selenium is a new level, or has that been  
24 around for a while?

25 MR. BUDROE: I don't know what the date is on

1     that. I know what the date of generation of the table  
2     was, but whether that's been the same number for the  
3     last one year or five years, I don't know.

4             MR. BERMAN: Because it would be interesting --  
5     I'm just looking for a data point to make your  
6     comment -- to strengthen it, if it's in fact a problem.  
7     It would be rather interesting if the selenium cleanup  
8     level in the EPA report is a new number.

9             FACILITATOR KERN: I think it is true that the  
10    standards change from time to time. Some become more  
11    strict and some become less strict. I mean, I think you  
12    raise a good point that we should investigate that.

13            MR. BERMAN: And that's going to be a  
14    continuing issue. It sounds to me like something like  
15    that ought to be automated in some way, if it could be.  
16    So if there's a -- if one of the superior  
17    organizations -- I meant that in the hierarchy.

18            MS. FANELLI: I understand.

19            MR. BERMAN: -- makes a change, that would be  
20    automatically issued to those agencies which are  
21    concerned with cleanup. I mean, that seems like a  
22    really easy thing to do.

23            MS. FANELLI: We do keep track of numbers that  
24    change, if there's a significant difference. We talk  
25    about them and are aware. It's a large document, and

1 they're based on a variety of standards and they're  
2 based on some site-specific background numbers and  
3 they're based on eco risk numbers, so they use a variety  
4 of criteria to compare against, drinking water  
5 numbers --

6 MR. BERMAN: Right.

7 MS. FANELLI: If you look at that document,  
8 you'll see cleanup numbers for a variety of different  
9 types of media and situations and exposures, whether  
10 it's human health or ecological, whatever it happens to  
11 be.

12 MR. BERMAN: Which is the most strict case for  
13 selenium? Is it human health?

14 MS. FANELLI: I think it's eco.

15 MR. BERMAN: That's what I thought. And you're  
16 already claiming that you're designing to eco  
17 requirements, so it's hard to see how the EPA number  
18 could be a magnitude smaller. Something is funny there,  
19 because it just doesn't ring right.

20 FACILITATOR KERN: Well, it's my understanding  
21 that the Trust is requesting a change at this site for  
22 the cleanup level for selenium. That's my  
23 understanding. That is currently .5, and they're  
24 requesting it to be 2.0. I don't know what the status  
25 of that was, but that's my understanding of it.

1           MR. BERMAN: And I presume it's based on  
2 meeting the eco requirement.

3           MS. FANELLI: Eco numbers -- there's a range of  
4 eco numbers that are included in the cleanup level  
5 document, and it's based on the receptor, for example,  
6 the worm. The robin eats the worm. The bigger bird of  
7 prey that might eat the robin -- the plant, whether it's  
8 a lettuce or a different kind of plant. There's a whole  
9 range of eco numbers in there.

10          FACILITATOR KERN: Well, I think we can revisit  
11 that.

12          MR. BERMAN: Yeah, I think that's a good point.

13          FACILITATOR KERN: Are there other comments  
14 that people have at this point on the site, or either  
15 site?

16           I'd like you, if you can, before the next  
17 meeting to give it a read. I think there are like 20 or  
18 so pages of the text. I think it's, you know, doable.

19          MR. WHILDEN: Hey, Doug, is there a way to get  
20 the map of the site? That wasn't in what you said, I  
21 don't believe.

22          FACILITATOR KERN: There is. I know that I can  
23 get ahold of the document. The full document is, as  
24 Eileen said, a little over ten megs. So if your e-mail  
25 can accept that, I can e-mail it to anyone who would

1     like that, if your e-mail will accept it.

2             MS. FANELLI: I will try to Zip it and send it  
3     out to everybody, and hopefully you'll be able to open  
4     it.

5             MR. WHILDEN: Sure.

6             MS. FANELLI: If there is a short-term issue,  
7     you can always call our library or our office and we can  
8     come out and put a copy in front of you that you can  
9     take a look at as well.

10            MR. WHILDEN: Sure. Yeah, there's also this  
11     new cloud computing called Dropbox. Does anybody use  
12     it? It's basically you can get two gigabytes of data,  
13     and you can upload files and then share them to anyone  
14     publicly or privately. That could be a handy way to get  
15     that out.

16            MS. FANELLI: Actually, that reminded me of  
17     something to update. We had our environmental  
18     correspondence library offline for about a month,  
19     because I've been dinking with it and reorganizing it.  
20     It is actually back up online as of today, and if you  
21     could go out and take a look. Now, it's not posted on  
22     there today, but I could post it on there as well, and  
23     that would be yet another resource besides EnviroStor to  
24     go out there and take a look at it. And it would be  
25     posted under RAP 5A, so I'll try to get that up on

1       there.

2               MR. WHILDEN:   Sure.

3               MS. FANELLI:   You can get to the  
4       environmental -- I'll get Rick to give me the link, and  
5       I will e-mail it to everybody.  I know you can get there  
6       just from the Trust Web page, but I don't think it's  
7       intuitive.  And I only had to get from the inside, so  
8       I'll get that link out as well.

9               MR. WHILDEN:   Okay.

10              MR. BERMAN:   Yes, it's better than using  
11       Dropbox, because there's a little more security  
12       involved.  Whereas Dropbox, you don't know who else can  
13       get at that information.

14              MR. WHILDEN:   No, you can do private files on  
15       Dropbox and just share them with private people.

16              MR. BERMAN:   Oh, you mean with a password?

17              MR. WHILDEN:   Yeah.

18              FACILITATOR KERN:  Gentleman, we need to move  
19       on.

20              There are a number of issues, at least that I  
21       can imagine.  We're going to have two sites, depending  
22       on when the construction is done.  Perhaps both would be  
23       done at the same time.  Perhaps they would be separated  
24       by some time.  I think there are issues that we would  
25       like to understand how those sites will be protected.

1 The confirmation sampling, things of that nature, we can  
2 get into that further in a couple of weeks.

3 Anything else on the RAP 5 at this moment?

4 Let's move on to --

5 MR. BERMAN: Again, whoever comes to the  
6 meeting on the 23rd, it would be good if they would have  
7 a map. Oh, you got it in there. Okay.

8 FACILITATOR KERN: I got it, and I will bring  
9 it.

10 MR. BERMAN: Good.

11 FACILITATOR KERN: Moving on, Landfill E. Do  
12 you have anything for us?

13 MS. FANELLI: We simply have Geosyntec on  
14 board, and they are reviewing the existing data and  
15 making recommendations for any additional fieldwork that  
16 they feel needs to be done. We don't have that plan  
17 from them, but we're looking at things like confirming  
18 boundaries of the waste around the edges. I'm sure  
19 they'll want some more geotechnical information to  
20 complete some analysis of the site.

21 So we're anticipating getting a work plan  
22 prepared in the near term, and, you know, if we --  
23 actually, I'm hoping that we'll have something that we  
24 can share. Maybe the next project status meeting may be  
25 too soon. It may be the next RAB meeting. If they got

1 something preliminary, we can begin to describe that.

2 FACILITATOR KERN: Can you tell us if they're  
3 locating, say, downstream of landfill E, sort of in the  
4 low-lying area, ahead of the toe, whether that would  
5 receive any additional water?

6 MS. FANELLI: Well, it's going to include the  
7 Barnard Avenue range, so they will be looking at  
8 sampling for Barnard Avenue, which is that low-lying  
9 area and underneath some of the homes, as well as the  
10 landfill itself. So they will probably treat those in  
11 two different sections: One is the firing range,  
12 Barnard Avenue, and the other being the landfill itself.

13 FACILITATOR KERN: Okay.

14 MR. BERMAN: Is there any new information on  
15 the geology of E at all, on what the layers look like  
16 and the various depths? We got information on that at  
17 one time, and I was wondering if there's anything new?  
18 I mean, that's several years old.

19 MS. FANELLI: Right. There has not been any  
20 new investigation, other than the documents that have  
21 already been sort of posted and shared. So this new  
22 investigation would be to collect whatever else is  
23 necessary to move to a RAP.

24 MR. BERMAN: But they're not going to do any  
25 more geophysical sampling?



1 MS. FANELLI: I don't know. They might  
2 recommend that if they feel that that's helpful for  
3 their work. I'm sure they're going to do geotechnical.  
4 If that includes some geophysics, I don't know. They're  
5 going to do, I'm sure, some sampling to get perimeters.  
6 They might be getting data so that they could understand  
7 stability issues and things like that.

8 FACILITATOR KERN: Anything else on landfill E?  
9 I turn to Jim. Anything from your folks that  
10 you're talking to about landfill E?

11 MR. KETCHEM: My folks?

12 FACILITATOR KERN: You, Jim. The ball field  
13 petition.

14 MR. KETCHEM: I think there's a huge level of  
15 interest in what's going to happen to landfill E, but I  
16 know that it's not scheduled for remediation until 2011.  
17 There's not much that can happen until it gets  
18 remediated.

19 MS. FANELLI: I think the Trust is still  
20 looking at -- I think I reported this last month. They  
21 haven't made a decision, and I think they are waiting to  
22 have an understanding of the remediation, whether or not  
23 they're going to send out an RFP for that construction,  
24 try to do it in-house, or how they're going to handle  
25 the actual ball field establishment at E.

1           MR. KETCHEM: Right.

2           FACILITATOR KERN: I guess I would ask you --  
3 and unfortunately we haven't had a chance to talk, so  
4 you can wave me off if you don't know.

5           I guess the best way that I can ask this is --  
6 I mean, do you have any feelings about whether there are  
7 other alternatives to just capping? Would there be  
8 ideas that you would entertain that would be possible,  
9 or have we talked about any of that yet?

10          MR. KETCHEM: For landfill E?

11          FACILITATOR KERN: Yes.

12          MR. KETCHEM: I don't feel like I know what the  
13 right remediation issue is for landfill E. I trust the  
14 process, you know, to be remediated as effectively as it  
15 can. I know there are a lot of factors in that. When  
16 remediation is done, then I start having a lot of ideas  
17 about what should happen at that point, and I know  
18 there's a lot of issues. There's a tributary that runs  
19 along the west side of that field.

20          There's a huge amount of interest in what sort  
21 of field will be able to be built after the remediation  
22 is done, how big that field will be, will it be able to  
23 be a full-sized soccer field that would replace Morton  
24 Field effectively, which is a longstanding issue that  
25 sort of is blocking Morton Field being closed, so that

1 the eastern tributary can be opened, which is part of  
2 the master plan, or part of the environmental plan for  
3 Tennessee Hollow. The plan for Tennessee Hollow does  
4 call for Morton Field to go away, for the eastern  
5 tributary to be daylighted, you know, basically to be  
6 made back open to everyone.

7 But Morton Field can't go away until there's  
8 replacement for Morton Field, at least that's been  
9 everyone's understanding in prior conversations. And at  
10 one point it was Julius Kahn, which really wasn't,  
11 probably, going to be accepted, but it isn't really --  
12 nothing much has happened to Julius Kahn anyway, so it's  
13 really Pop Hicks, landfill E, that sort of becomes the  
14 best way to build a replacement field for Morton Field.

15 But the concern is, can it be big enough to be  
16 a full-sized soccer field, which there's room for that,  
17 but there may not be room depending on what happens with  
18 the western tributary, and that's something that's been  
19 subjective of differing opinions as to what the right  
20 solution for that area is.

21 But again, I come back to there needs to be a  
22 remediation plan, and that needs to get set, and then a  
23 whole series of other issues should be addressed, which,  
24 you know, there's going to be -- if I understand it  
25 right, there's going to be a field there. The main

1 issue is, what's the complete plan for that whole Pop  
2 Hicks area, what kind of field, and what about the other  
3 things that people care about that are right there  
4 adjacent to it, etc.

5 FACILITATOR KERN: Thank you.

6 Any other comments?

7 I have one more item on the agenda.

8 MS. BLUM: I'd like to make a comment on what  
9 Jim said.

10 FACILITATOR KERN: Okay.

11 MS. BLUM: I think at the last meeting you felt  
12 that it should be a joint effort of planning and  
13 remediation and we didn't just dig it up without having  
14 a plan on how we were going to put the ball fields on  
15 the top, and I really agree with you. There's been so  
16 much money on remediation. To go back and address,  
17 perhaps, similar issues again, when we're dealing with  
18 the ball field, is a separate issue. It just doesn't  
19 make fiscal sense to me.

20 I mean, I think there are savings if we could  
21 do a holistic plan between planning landscaping, natural  
22 resources, remediation, all at the same time, instead of  
23 doing these sort of one at a time, because then we don't  
24 really end up with a district plan or a holistic plan  
25 that works as effectively as accounting for every demand

1 on the land use that we have at the Presidio.

2 That's it. Thank you.

3 FACILITATOR KERN: Thank you.

4 Okay. The final item that I had here was Baker  
5 Beach Disturbed Areas 1 and 2A financial costs. I had a  
6 chance to talk to Jeff Deis, and he had mentioned to me  
7 a number for the total cost of remediating these two  
8 sites. He had mentioned that he was thinking about  
9 coming to RAB meetings. He may be away on vacation. He  
10 may not have been able to make it tonight. I'm not  
11 sure.

12 MS. FANELLI: He's on vacation.

13 FACILITATOR KERN: Okay. So I checked it out,  
14 at least according to the last quarterly report. He had  
15 mentioned to me that he thought that the total costs for  
16 those two sites was about 18 million, which I thought  
17 was high, a high number. And so I just went ahead and  
18 got the information out of the quarterly report. I see  
19 for Baker Beach 1, 11.3 million or so for that site, and  
20 about 5.6 million. And that would add up to, you know,  
21 17, 18 million.

22 The issue, though, is we did get reimbursement  
23 on -- I guess from the Army and from Zurich in  
24 approximately 5 million or so.

25 Does that seem about right?

1 MS. FANELLI: The money in the door on Baker  
2 Beach 2A is about two and a half million at this point,  
3 but I believe we our settling or close to settling. We  
4 are working through some issues with Zurich so that the  
5 cash in the door should go and cover the remaining costs  
6 on 2A.

7 MS. MONAGHAN: So we might get 5.6?

8 MS. FANELLI: Right. We should recover our  
9 costs on 2A, from a combination of the Army and from  
10 Zurich. There's a subrogation piece, so we won't  
11 necessarily be completely whole. Hopefully we'll be  
12 close.

13 FACILITATOR KERN: I don't know if he -- I  
14 would assume that Jeff knew about that, but I'll just  
15 follow up with him on that particular thing. So we are  
16 getting reimbursed for the parking lot.

17 All right. That is what I had.

18 MS. BLUM: I also wanted to ask a question.

19 FACILITATOR KERN: Go ahead.

20 MS. BLUM: I know we bought, the Presidio  
21 bought, special equipment that was used very little. I  
22 think it was Baker Beach 2, or was it 1? I can't  
23 remember.

24 FACILITATOR KERN: Both sites, 1 and 2A, yes.

25 MS. BLUM: We bought those really big

1 earth-moving kinds of items. What happens to that  
2 equipment?

3 MS. FANELLI: I'm not sure what you're  
4 referring to.

5 MR. CHESTER: I think it was the conveyer  
6 belts.

7 FACILITATOR KERN: The conveyer belts.

8 MS. BLUM: The conveyer belts, yes. Thank you.

9 FACILITATOR KERN: My understanding was the  
10 company -- we bought them, but -- is it AIS, or some  
11 name like that -- retained the equipment, as far as I  
12 know.

13 MS. BLUM: Oh, well, that's a good deal for  
14 them.

15 FACILITATOR KERN: That's my understanding of  
16 it, that we would not have had any place to store or  
17 reuse it, or whatever. But I don't know actually what  
18 arrangements were made contractually, if they sold it to  
19 them or if it was just all part of the agreement.

20 MS. FANELLI: I don't know.

21 MS. BLUM: You might want to look into that and  
22 see if we can collect some money on that. It was a  
23 fairly substantial investment, as I recall.

24 FACILITATOR KERN: Right.

25 We are now at item six. There's a few minutes

1 to go.

2 Denise, did you have anything else? Would you  
3 like to talk about anything on your monthly report?

4 MS. TSUJI: No. The main thing that I wanted  
5 to talk about was about RAP 5A roundtable, so that --  
6 I'm hoping our reports are self explanatory. I  
7 appreciate your feedback.

8 FACILITATOR KERN: Okay. Thank you again for  
9 the offer of this meeting.

10 Agnes, do you have anything?

11 MS. FARRES: No.

12 FACILITATOR KERN: Okay. Thank you.

13 Is there any new business for this evening?

14 MR. BERMAN: I don't know if it's new business  
15 or something that I've just picked up in the discussion  
16 about sampling of Lobos Creek. Is that put to rest or  
17 is that some issue that's still on the table?

18 FACILITATOR KERN: Well, I think there is a  
19 Lobos Creek investigation that was released about a  
20 month ago, and I think we can provide some comments on  
21 that investigation.

22 MR. BERMAN: When we see the report you mean?

23 FACILITATOR KERN: No. The report was sent out  
24 via e-mail about a month ago.

25 MR. BERMAN: Oh, that one. Okay, yes.



1           FACILITATOR KERN: That was the report that  
2 concluded that there was no impact.

3           MR. BERMAN: Right. Yes, so that was my  
4 question, that that report concluded there was no  
5 impact, and so no further sampling of the creek was  
6 proposed. But in the discussions tonight it seemed to  
7 me there was some unsettling comments regarding the  
8 final step in dealing with the potential turbidities in  
9 Lobos Creek.

10           So I was just asking, is the issue dead or is  
11 that something -- I mean, we could, of course, be  
12 concerned about this and ask that there be some kind of  
13 support sampling after the next big storm, or something  
14 like that, so that we are assured that this report is  
15 based on really hard facts.

16           MS. FARRES: So I'm completing my review of  
17 that report. I've been a little delayed because I've  
18 been in jury duty the last two weeks, but I'm working on  
19 reviewing that. The Park Service has voiced some  
20 concerns, so I need to meet with them and discuss that.  
21 But if anyone from the RAB has any concerns, you're free  
22 to e-mail me any questions or issues.

23           MR. BERMAN: Well, Doug, you should send Agnes  
24 your pictures.

25           FACILITATOR KERN: Well, I will post them and

1 provide a link and a description of the pictures,  
2 absolutely, to everyone so you can see.

3 I can say that looking at sediment through  
4 flowing water, a picture of that is a little sketchy.  
5 I'll just admit that right now, but that's why I  
6 mentioned that I would bring people to the site and  
7 point things out. So I don't want to promise too much  
8 in the photography of the below water issues. I mean,  
9 that's -- but thank you.

10 All right. So action items, we have a meeting  
11 in two weeks. I would encourage everyone to review the  
12 document, the preliminary draft, and either get it off  
13 EnviroStor to look at the maps or request one from me.  
14 There's a lot of different ways, and I may need a  
15 volunteer to send a zip file so we can get that out.

16 And then that's going to be the primary focus  
17 of our next RAB committee meeting.

18 Are there any items before we close?

19 Then without objection, meeting adjourned.

20 Thanks, everyone, for coming today.

21 (The meeting concluded at 8:55 p.m.)

22 ---o0o---

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24

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## 1 CERTIFICATE OF REPORTER

2  
3  
4 I, Dawn E. Howard, hereby certify that said  
5 proceedings were taken in shorthand by me, a Certified  
6 Shorthand Reporter of the State of California, and were  
7 thereafter transcribed into typewriting, and that the  
8 foregoing transcript constitutes a full, true, and  
9 correct record of said proceedings which took place;

10  
11 That I am a disinterested person in the said  
12 action.

13  
14 IN WITNESS WHEREOF, I have hereunto subscribed my  
15 name this 18th day of February, 2010.

16  
17  
18 \_\_\_\_\_  
DAWN E. HOWARD

19 CSR No. 13201  
20  
21  
22  
23  
24  
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

**ORIGINAL**

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, MARCH 9, 2010

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

Page 1

1

## ATTENDEES

2

## RAB Members:

3

Doug Kern, Facilitator

Eileen Fanelli

4

Brian Ullensvang

Denise Tsuji

5

Agnes Farres

Peter O'Hara

6

Gloria Gee

Jan Blum

7

Sam Berman

Julie Cheever

8

Jan Monaghan

Edward Callanan

9

## Also Present:

10

Craig Middleton

11

Jeff Deis

Andrea Anderson

12

Jerry Dodson

13

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14

15

BE IT REMEMBERED that, pursuant to Notice of

16

the Meeting, and on March 9, 2010, at the Officer's Club,

17

Building 50, Presidio of San Francisco, California,

18

before me, MARK I. BRICKMAN, CSR No. 5527, State of

19

California, there commenced a RAB meeting under the

20

provisions of the Presidio Trust.

21

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22

23

24

25

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1 FACILITATOR KERN: Welcome, everyone.  
2 It's the regularly scheduled meeting for the Presidio  
3 Restoration Advisory Board for March 2010. This is  
4 the -- the final meeting of our 16th year, so next month,  
5 we meet in the 17th year of being in existence. That's  
6 quite a milestone.

7 We have some special guests tonight, and so  
8 I've got a couple of things I'd like to do. One is, with  
9 your permission, propose some modifications to the  
10 agenda, accommodate our guests' schedule.

11 I'd like to also add a round of  
12 introductions, and I'd also like to mention that we have  
13 a new candidate for RAB membership here with us tonight.  
14 His name is Jerry Dodson. He's here with us tonight, and  
15 he's a neighbor.

16 He has some environmental background, and  
17 when we go around the room, perhaps Jerry, you can talk a  
18 little bit about yourself when it comes to you.

19 MR. DODSON: Okay.

20 FACILITATOR KERN: Our process for  
21 selecting new memberships, these applications will come  
22 into us, the Selection Committee will review them and  
23 we'll vote on it for the full board probably at our next  
24 meeting or a meeting down the road.

25 So with that, my proposal for

1 modification -- modifying the agenda tonight -- since we  
2 have some senior management from the Trust, we have sent  
3 a letter to the Trust Board -- actually some members of  
4 the public sent a letter, and we've received a response  
5 from the Trust Board, and in that response, it was said  
6 that Craig would come to one of our meetings to hear our  
7 concerns.

8 So it appears that Craig is here, so we  
9 have an opportunity to talk to him tonight.

10 So --

11 MR. MIDDLETON: This is being recorded,  
12 right?

13 FACILITATOR KERN: It is.

14 MR. MIDDLETON: For the record, I would  
15 like to say I welcome the opportunity to come and be with  
16 you.

17 FACILITATOR KERN: We appreciate it.

18 MR. MIDDLETON: I'm always looking for an  
19 opportunity to come.

20 FACILITATOR KERN: You don't get to go to  
21 enough meetings.

22 All right. So the way that I would propose  
23 that we do that, do this is after we're done with our  
24 introductions, that I could introduce a couple of the  
25 broader concerns that people mentioned in our letter, and



1 if then we could have a conversation with Craig and Jeff  
2 and the members of the Trust here about these concerns.

3 FACILITATOR KERN: I would like to  
4 participate in that, but also would say that I think  
5 Craig needs to leave at about eight o'clock, I  
6 understand, so we would try to have that conversation  
7 move from subject to subject and that hopefully no one  
8 would dominate -- it never really happens, but I may have  
9 to step out of participant role and facilitate someone if  
10 they begin to speak excessively.

11 Of course you're all welcome to facilitate  
12 me if I'm speaking out of turn.

13 All right. So with that, I'll just  
14 introduce my -- well, I should ask, would that be  
15 acceptable?

16 And then we would have a break at eight  
17 o'clock where people that need to leave could leave, and  
18 then you would have an opportunity, also, to speak with  
19 Jerry, talk to him, meet him, and then we could begin our  
20 regular agenda after that and we'll be a little bit  
21 compressed.

22 MS. BLUM: So moved.

23 FACILITATOR KERN: All right. Very well.  
24 I'm Doug, Doug Kern. I have been here since day one of  
25 the RAB, as actually three of us sitting here tonight

1 have been here from that first day, and many of you that  
2 have been here for many years.

3 I'm a community member. I have some  
4 science background and I facilitate the meetings.

5 Why don't we go that direction.

6 MR. DEIS: My name is Jeff Deis. I'm the  
7 chief operating officer of the Trust and the Remediation  
8 Department that Eileen heads. It is one of my  
9 responsibilities.

10 MR. MIDDLETON: I'm Craig Middleton, the  
11 executive director of the Trust.

12 MS. ANDERSON: I'm Andrea Anderson, the  
13 environmental attorney for the Presidio Trust.

14 MS. FANELLI: My name is Eileen Fanelli  
15 and I'm the manager of the remediation being done here in  
16 the Presidio.

17 MS. BLUM: My name is Jan Blum and I'm a  
18 community member of the RAB ever since 2002 and a member  
19 of the Presidio Environmental Council.

20 MS. GEE: My name is Gloria Gee and I'm  
21 also a community member and I can't -- I think I joined  
22 in the two thousands, too, but I can't remember.

23 FACILITATOR KERN: The years blend  
24 together.

25 MS. GEE: Yes, and so my background is

1 I've been working as a policy and -- economic policy  
2 and -- analyst for the government before in DC and I --  
3 you know, and also in finance. I've done a lot of  
4 international finance type of things, too.

5 MS. TSUJI: My name is Denise Tsuji and  
6 I'm with the Department of Toxic Substances Control, and  
7 I supervise the two project managers that are heading the  
8 cleanup for the department.

9 MR. DODSON: My name is Jerry Dodson. I  
10 practice patent litigation with a law firm, Goodwin &  
11 Procter downtown. I've done that for the last twenty  
12 years.

13 I do not practice in the area of  
14 environmental law, but prior to going into private  
15 practice, I was chief counsel for Congressman Henry  
16 Waxman and the subcommittee on which Henry sat for ten  
17 years where I personally wrote major provisions and  
18 federal statutes. For example, the Clean Air Act, Safe  
19 Water Act, Toxic Substances Act, RCRA.

20 Prior to that, I was lead attorney for the  
21 Department of Interior on the Constitutional challenge to  
22 the Service Mining Act that went to the Supreme Court of  
23 the United States and decided nine-nothing in favor of  
24 the United States Government.

25 And prior to that, my background was I

1 started my law practice in Pittsburgh representing the  
2 state and county against US Steel and air pollution  
3 matters.

4 So my background -- the first part of my  
5 career was in the environment and the second part has  
6 been into patent litigation and biotech patent  
7 litigation, and I'm interested in getting back into where  
8 my heart and roots are, in the area of environment, and I  
9 live at the end of two main streets, 18th Avenue on the  
10 Presidio and have always loved the Presidio and have some  
11 interest in contributing if I'm allowed to do so in terms  
12 of reclamation and also restoring the Presidio. I have a  
13 background in it.

14 I was also responsible for federal  
15 regulations in the Department of Interior on surface and  
16 underground mining, growth sedimentation plan, pond plan  
17 requirements for the Interior Department, blasting  
18 requirements in Federal Court. In a nutshell.

19 MR. MIDDLETON: It's been a long time.  
20 It's nice to see you again.

21 MR. DODSON: Thank you.

22 MR. MIDDLETON: Say hi to Pat.

23 MR. DODSON: She's out getting petitions  
24 for the California Environmental Quality Act.

25 MS. FARRES: Agnes Farres, Water Board

1 project manager.

2 MS. MONAGHAN: Jan Monaghan, community  
3 member. I'm an original member, as well. By training,  
4 I'm a facility trainer.

5 MR. ULLENSVANG: Brian Ullensvang,  
6 National Park Service, and I also manage the  
7 environmental program at the GGNRA.

8 MR. BERMAN: I'm Sam Berman. I've been a  
9 member since the last of the Army days since '97 or '98,  
10 one of those years, and I'm a community member and I have  
11 a science background and I appreciate very much an  
12 opportunity to participate in this mediation process.

13 MR. O'HARA: Peter O'Hara. I'm a  
14 community member and I'm in real estate.

15 FACILITATOR KERN: Very good.

16 MR. O'HARA: I'm an attorney member.  
17 May I ask a question?

18 FACILITATOR KERN: Yes.

19 MR. O'HARA: Before we start with the  
20 presentation, may I ask why the Trust has an attorney  
21 here?

22 MS. ANDERSON: Sure. I just wanted to sit  
23 here and observe the proceedings.

24 MR. O'HARA: The Trust has never had an  
25 attorney.

1 MS. ANDERSON: I just like to come  
2 sometimes.

3 FACILITATOR KERN: Okay. To open this  
4 conversation, the way I would like to put it is we --  
5 we're out here as community members and the role that we  
6 have is to communicate to the regulators, to the Trust  
7 and the agencies that come to these meetings as well as  
8 to communicate outwards to other groups about what is  
9 being proposed.

10 When it works, I think it is a dramatic and  
11 positive collaboration. There is a lot of significant  
12 brain power around the room, around the table.

13 Trust staff is quite competent and there's  
14 a lot of competency within the RAB in terms of just  
15 common sense.

16 I think this particular group -- and of  
17 course I'll have to claim a little bit of bias. I think  
18 we try to think through what we're doing and propose  
19 reasonable comments.

20 So some members of the board are here,  
21 including other citizen members, wrote a letter to the  
22 Trust Board. Because there was -- there were issues of  
23 some urgency, and those issues could be categorized in  
24 two ways: One was the -- we saw a risk of serious  
25 environmental impacts resulting from inadequate

1 development and implementation of remediation plans.

2 The other one was inadequate or conflict --  
3 inadequate communication or conflict among the agencies.

4 We go on to say in the letter that we noted  
5 conflict with the Park Service, conflict with Fish and  
6 Wildlife, federal agency, conflict with Caltrans, and  
7 that's been ongoing. That's particularly with Mountain  
8 Lake.

9 So, I mean, with that as a background,  
10 there have been some concerns around landfill 10,  
11 landfill 8, damages due to storms, storm water.

12 This was an event that seemed predictable  
13 back last July. We knew an El Nino year was coming, and  
14 we felt that there were not -- there was not enough  
15 communication or preparation for what eventually  
16 happened.

17 When things did happen, it continued.  
18 Releases to the environment continued, and some of them  
19 have occurred even within the last couple weeks. They  
20 continue to happen, and that's -- that's troubling.

21 I know all the regulators are aware of  
22 these issues. Everybody's scrambling and working hard to  
23 try and prevent these things, but that was the nature of  
24 the urgency of producing a letter of this kind.

25 We've seen this communication deteriorate

1 and I think it's producing unnecessary damage to the  
2 environment where we are potentially losing endangered  
3 species and we're releasing potentially toxic material to  
4 the environment.

5 I -- I don't say these things lightly and  
6 I -- the people that signed this letter did not do it  
7 lightly.

8 So it's in that vein that we're trying to  
9 communicate these concerns.

10 Now, there are many layers of this. What  
11 is happening, what happened in the past, what is  
12 happening in the recent past and what is happening now  
13 there are changes.

14 We're seeing meetings reinstituted. That's  
15 a good thing. There seems to be more communication  
16 recently, and that's a good thing, but there continue to  
17 be -- there are things out there coming up in the future,  
18 decision documents that are troubling.

19 We had a meeting two weeks ago, meeting  
20 with DTSC representatives and we began the comment  
21 process on the next Remedial Action Plan.

22 So there are small technical details that  
23 matter that we now are getting into arguments about that  
24 I would put under the category of we're not protecting  
25 natural resources enough, and that's what we're here to



1 tell you. That's part of our role, and we're calmly  
2 shouting it from the rooftops.

3 So I wanted to at least give some context  
4 for this. I can talk about the details. I can talk  
5 about examples, but I certainly don't want to dominate  
6 the discussion.

7 So I would open it up and try to commence a  
8 conversation.

9 MR. MIDDLETON: Good. Thanks for coming  
10 here. I appreciate it, and I want to acknowledge and  
11 recognize all of the people here, particularly those of  
12 you who have been on this project for a long time and we  
13 went around the room.

14 I think most of you have been on this  
15 project for a long time. There's a lot of creativity in  
16 this room. There's a lot of commitment in this room.  
17 It's obvious.

18 So you guys sending this letter or your  
19 scream from the rooftops, I want you to know that I'm  
20 here to listen and hear what you have to say.

21 I think just to set some context, I think  
22 that we're all in this for the same thing, and that is to  
23 do a first class cleanup here that is worthy of the  
24 Presidio's visibility and the fact that it's a national  
25 park.

1                   It's an unusual site, and particularly if  
2 we can be innovative in coming up with solutions that  
3 accomplish numerous goals, not just easy goals that can  
4 provide maybe models for other places that aren't  
5 affiliated with the Presidio.

6                   So I think we also share -- I hope we do  
7 and I'm pretty sure we do -- the sense of -- we need to  
8 be expeditious. We are closing in on 2014. It does  
9 sound like a long ways away, but it's not.

10                  I think you're all aware -- as I am  
11 about -- the need to complete the cleanup so we can make  
12 sure that we have enough funding to -- you know, to  
13 support it with the insurance.

14                  And I think, you know, those are some  
15 remediation goals that I think we share and I think we  
16 also share some restoration goals, and where we may run  
17 into each other a little bit when it comes to who's --  
18 which pot of money is paying for what, I think we're  
19 feeling strongly that remediation funding needs to be  
20 used for remediation, and that's not to say there  
21 shouldn't be restoration funding, and to the extent that  
22 we can make great gains in both by doing them at the same  
23 time, we should.

24                  FACILITATOR KERN:    Agreed.

25                  MR. MIDDLETON:    So I don't want to

1 dominate, either, so I think I'll just thank you guys and  
2 listen to what you have to say.

3 FACILITATOR KERN: Well, let me continue  
4 unless there are others who would like to comment.

5 Landfill 10 would be a place to start. The  
6 discussion -- I just want to check our time here. 7:27.  
7 We've used up half of our allotment already, so -- we can  
8 continue.

9 We've had some erosion problems at landfill  
10 10 and landfill 8. Everybody is well aware of those  
11 things. We've had some significant and potentially  
12 costly damage to cap at 10.

13 I'm not sure it's worth backtracking over  
14 how we got to all that, but one thing I want to propose  
15 is that the -- the brain power that comes from DTSC, the  
16 Water Board, Park Service, Fish and Wildlife and RAB  
17 members; we're trying to help when we make comments and  
18 we're trying to be constructive.

19 There is -- there are issues of how the  
20 process is now working that some of the details that  
21 matter get pushed off to the very end so there's not  
22 enough time.

23 I can call out an example, I mean, where we  
24 probably may take too much time. Baker Beach 3 was a  
25 project where it took over a year in the design process.

1 Many meetings, and that was a steep gorge, kind of a  
2 gully ravine out on the Baker Beach cliffs and there were  
3 just many, many discussions about how that would work.  
4 Maybe too many.

5 But the project is a wild success. It's  
6 been in the newspapers, beautifully restored, and so a  
7 lot of thought went into that.

8 I'm really concerned that we did not spend  
9 an adequate amount of time on those same kind of issues  
10 at 8 and 10. I'm concerned about -- and I have  
11 communicated with both of you around issues around  
12 fillsite 1 and landfill 2 that I normally wouldn't  
13 communicate with you directly, but the urgency became so  
14 great that it was sitting there waiting to be a major  
15 problem.

16 I want to commend the Trust on the  
17 responsiveness to putting in erosion controls at those  
18 sites. They were done rapidly. There's a lot -- a lot  
19 of work done quickly and it seems to be effective.

20 I can tell you, though, having been up to  
21 the site within the last three or four days that with all  
22 the rains that we've had, there is water seeping out  
23 directly from the landfill material.

24 MS. ANDERSON: I'm sorry.

25 FACILITATOR KERN: At landfill 2.

1 Landfill 2 has incinerator waste in it. It has heavy  
2 metals at high concentrations. We have water -- we don't  
3 have visible erosion. That has been taken care of.

4 There is very thick cover on top of that  
5 material, but there is water leaking through fill  
6 material and it's going downhill and it is going into the  
7 creek system.

8 So one thing that I discovered only just  
9 last week after sixteen years of being here is it was  
10 always reported to us that there was an incinerator piece  
11 like dumped into that site, and I had always assumed that  
12 it was -- came from somewhere else, that it was dumped  
13 there, but you can walk up to it right now and it looks  
14 like it's the original incinerator that was there.

15 It's kind of in place and level and built  
16 there. It's a brick -- like a barbecue that's built in  
17 with a -- a pipe, kind of a stack where you can burn  
18 stuff in it.

19 So I am concerned about releases that  
20 are -- to the environment that are being dissolved.  
21 We're not testing it. I can't prove it, but I'm  
22 concerned that now we have a lot of water running through  
23 that material.

24 I do want to say that it is not eroding  
25 away, and that is a good thing.

1                   Those are kind of covering the immediate  
2 problems, and we also have recent continued erosion at  
3 landfill 8. That is the one with the gully behind the  
4 houses.

5                   I'm -- I would like to think -- but I'm not  
6 involved in the discussions at all -- that there's  
7 planning about what to do. I don't know anything about  
8 that.

9                   I am uninformed except for some preliminary  
10 ideas about what's being proposed, but I'm concerned  
11 about -- okay. A big problem happened. Now we got to  
12 work together to fix it, and I'm not sure -- I'm not  
13 seeing the signs of how we're doing that. I'm not seeing  
14 teams getting together -- and it could be that I'm not  
15 being included. That's fine.

16                  I'm not an expert on it, but I would like  
17 to know how that is going to be handled so it is not only  
18 permanently repaired, but it's protective of the  
19 endangered species habitat that is in that area.

20                  I could call on Brian. Perhaps you have  
21 been involved in those meetings, but I'm not, and I'd  
22 like to know if you can talk about it at all.

23                  Besides, I'm the only one talking, so I  
24 need to figure out a way to stop now.

25                  MR. MIDDLETON: One thing, Doug. We

1 should talk about specifically these landfills and the  
2 issues that we're dealing with right now, but I'd also  
3 like not to forget to talk about the point you made  
4 earlier, which is -- I think you talked about the  
5 deterioration in communication and some improvements  
6 since the letter.

7 FACILITATOR KERN: Yes.

8 MR. MIDDLETON: But some places that we  
9 can continue improvement.

10 FACILITATOR KERN: Yes.

11 MR. MIDDLETON: It's one thing to deal  
12 with the issues that are on the ground, but it's another  
13 to deal with the process of issues in the future --

14 FACILITATOR KERN: Okay.

15 MR. MIDDLETON: -- at some point.

16 MS. MONAGHAN: I'd like to address a  
17 communication issue, if I could. Because I signed the  
18 letter in December and I've been going through the  
19 quarterly report trying to understand what the  
20 presentation's going to be tonight, and I was hoping for  
21 information about where we are with 8 and 10 and the  
22 repairs, the planning.

23 I see that the schedule shows that the  
24 construction's going to go through July of this year so  
25 that it is eight months overdue when it's completed, but

1 the budget doesn't show any changes. It doesn't show the  
2 current costs or how those -- that contract is being  
3 negotiated between the contractor and the Trust in terms  
4 of who's going to pay for the fix and what's the overall  
5 cost of the program.

6 So those are the things. I was hoping that  
7 the status report at the beginning would summarize where  
8 we are with each agency and with the repairs that are  
9 going on.

10 I know that 8 and 10's been paved. Mark  
11 sent us a picture this week, and I know contractors  
12 pulled off until dryer weather. But I don't know where  
13 what the planning is of that next piece.

14 I was hoping that this report will show us  
15 that, and I'm hoping that tonight's status report will  
16 show us that, but I don't have that.

17 MS. FANELLI: Yeah. I have an update on  
18 8, and I have some additional photographs of work that's  
19 been completed. That is part of the presentation.

20 MS. MONAGHAN: Is there any construction  
21 scheduled yet that this schedule was built off of?

22 MS. FANELLI: I don't have for you a  
23 detailed construction schedule, no, not in the  
24 presentation. But yes, the new update schedule does  
25 reflect our discussions with the contractor and how we



1 hope to re-engage as soon as we get dryer weather.

2 MS. MONAGHAN: Does the budget, then,  
3 reflect additional costs that have been incurred?

4 MS. FANELLI: The budget addresses actual  
5 costs through December 31st. We have not at this time  
6 changed the budget. We are doing budget analysis, but at  
7 this point, I don't have enough information or data to  
8 change it.

9 If we change it, it looks like the impact  
10 on the outside is less than ten percent, maybe seven  
11 percent change on the overall budget for landfill 10, but  
12 the costs that have come in -- we do carry contingencies  
13 within the budget for these types of events.

14 And so I don't have enough information or  
15 reason to change the budget as of the end of first  
16 quarter FY '10.

17 MR. DIES: Why don't we go into the  
18 details of that when you get to that.

19 MS. MONAGHAN: That's fine. Thank you.

20 MS. FANELLI: You're welcome.

21 FACILITATOR KERN: Jan, please.

22 MS. BLUM: With respect to communications  
23 and process, as a member, I have noticed in the meetings  
24 that there is less -- I think you said the word  
25 teamwork -- involved in the reporting.

1                   There seem to be fewer meetings among the  
2 agencies to work on common problems, including the  
3 presence of the RAB at those meetings so all opinions can  
4 be brought to the table and issues resolved in a unified  
5 manner, which is probably one of the most difficult  
6 things to achieve which is to compromise intelligently  
7 where compromises need to be made.

8                   I feel like the fast tracking is really  
9 riding the process and the process is a long run.

10                  So perhaps the crux of the problem is to  
11 find a way to really butt heads in the most positive way  
12 to fast-track intelligently so all parties can be assured  
13 that the outcome is going to be realistic for everyone  
14 concerned.

15                  But I feel like the -- there isn't a  
16 teamwork or a synergy that's working on our behalf.

17                  MR. DEIS: That's a good point, Jan,  
18 because if you think of the projects we have ongoing now,  
19 there are probably more going on now than any time I know  
20 of.

21                  MS. BLUM: I recognize your difficulty.

22                  MR. DEIS: And we are under the gun to get  
23 all of this done by 2014. I know Eileen shared with you  
24 all of our schedules, which goes right up to the last  
25 minute when they're all going to be completed.

1                   In order to achieve that, we've got a lot  
2 of different projects overlapping at the same time.

3                   I think you may be right. I think because  
4 of that effort on our side to move as quickly as we can,  
5 it may have resulted in some deterioration in some of the  
6 communications.

7                   MS. BLUM: I don't know what the  
8 resolution is --

9                   MR. DEIS: One thing to do is recognize it  
10 and figure out how you can incorporate other comments and  
11 the concerns from other groups and incorporate that into  
12 a process.

13                   So we keep to the schedule that we need to  
14 keep To.

15                   If you think of it now, there's a lot more  
16 on our plate than the remediation projects. I think  
17 everyone, and they're big, complicated, expensive  
18 projects.

19                   FACILITATOR KERN: I absolutely concur  
20 that there are big -- we kind of saved the hardest ones  
21 till the end. There are several, you know, upon us and  
22 it requires us to really subscribe to work together to  
23 figure out a way to communicate serious issues and in a  
24 collaborative way somehow blend those ideas together.

25                   There needs to be some process work on

1 developing respect for these kinds of comments. We just  
2 have to do it.

3           Otherwise, you know, it kind of falls apart  
4 and then the default process is sort of the comment and  
5 response. You get a document, people submit letters.  
6 Then you're required to submit, you know, responses and  
7 it's just kind of this paper thing back and forth where  
8 if we can, as Jan says, come together and butt heads in a  
9 constructive way knowing -- you know, making some  
10 agreements around timing, and then how do -- you know,  
11 maybe there's a way to force collaboration and consensus  
12 and then something where there's -- we can't reach  
13 consensus, that there's a process where it gets elevated,  
14 decisions are made at higher levels. You guys have  
15 plenty of things on your plate.

16           I'm just -- these steps are complicated.  
17 Jan is right, and having more eyes on it helps.

18           MR. MIDDLETON: What is the advantage --  
19 I'm asking this to everybody, including my own staff.  
20 What's the advantage to having this back and forth?

21           My experience with back and forth letters  
22 is great for establishing a record if you need to  
23 establish a record, but it isn't really the best way to  
24 collaborate because you don't have to sit in a room  
25 figuring out a problem and a solution in the problem.

1                   It's usually just posturing back and forth  
2 with letters, and there tends to be an emphasis when you  
3 do that, moving towards the extremes rather than finding  
4 a middle.

5                   I just wonder if there's an advantage to  
6 that or it's part of a process that we're stuck with.

7                   FACILITATOR KERN:   The ideal is you  
8 talk -- you do a virtual or effective handshake, people  
9 go off and make it happen. That's clearly ideal, and  
10 that has happened in the past.

11                   We've certainly had meetings where there  
12 was agreement and nothing was written down. People just  
13 went and did things. So that is possible.

14                   It's hard. All this stuff is hard.  
15 There's natural tension built into this, and I want to  
16 acknowledge that. It's not black and white. It is very,  
17 very difficult.

18                   There's a whole array of legal and  
19 technical things to meet, but -- and I want to get Brian  
20 into it. He's been on both sides of this, and I know  
21 this guy can work both sides.

22                   He's been a regulator and he's been an  
23 advocate for -- you know, a position, and that makes him  
24 an extremely valuable team member, but he knows how to  
25 work the system.

1                   In fact, all of us in this room have  
2 unfortunately -- we know the system and you can slow it  
3 down or -- the only way to do it is to laboriously get  
4 together to speed it up.

5                   And I don't see any way around that to  
6 satisfy all the needs that need to be met.

7                   We don't have to like each other, but we  
8 have to get together. There has to be some respect for  
9 the team and we may butt heads to make it happen.

10                  I mean, we can deal with it and we're only  
11 going to get harder projects. There are going to be more  
12 and more risky in terms of potential damage. You know,  
13 just thinking about fillsite 1, landfill 2. We need to  
14 be thinking about the restoration part of it. We need to  
15 be half -- right now, there needs to be all kinds of  
16 people involved in what happens when we remove that fill.

17                  We are going to clear out this area and  
18 leave a huge amount of bare ground that will be  
19 susceptible to problems if we don't deal with it, and  
20 it's not -- I mean, this involves Trust Natural  
21 Resources. It could involve Park Service natural  
22 resources.

23                  Let's get everybody talking about that, and  
24 that's a separate issue even from remediation. But we  
25 need to be doing it.

1 MS. CHEEVER: Another thought about  
2 communication. As a member of the RAB, I sometimes find  
3 since we do have a structure of the different groups  
4 here, I wish I knew more of what the regulatory agencies  
5 thought.

6 As a member of the public, you might be  
7 presented with a situation where you see an awful lot of  
8 concern.

9 In my case, I felt a lot of concern about  
10 erosion of landfill 10, both in October and then being  
11 repeated in January, but I don't have all the technical  
12 expertise, and it does help and give you some insight to  
13 know what regulatory agencies that are more expert on  
14 this have to say about it to explain what happened and  
15 how it can be corrected.

16 Lately, in the past few weeks and months,  
17 we've been asking for copies of the regulatory comments,  
18 and that actually helps us to get insight.

19 But anyhow, to our friends in the agencies,  
20 thank you for sending us the -- more often making  
21 available the letters, and I guess Eileen helped with  
22 that, too.

23 But this is a forum where I would be very  
24 glad to hear what the regulators think because this is  
25 actually the structure that we have.

1 FACILITATOR KERN: I'm going to attempt  
2 to -- Brian Ullensvang.

3 MR. BERMAN: Brian, do you want to comment  
4 on what Doug is talking about?

5 MR. ULLENSVANG: I think it's very  
6 important particularly early in the process to foster  
7 communication, if that is challenging us. I think there  
8 are several examples where Park Service was brought in  
9 late and we would have been much more productive to be  
10 brought in early to get to aquatic regional.

11 There are a number of examples where that  
12 will help right now. That certainly does help in the air  
13 of collaboration.

14 FACILITATOR KERN: I want to say -- I've  
15 been -- there's kind of been this complaint a little bit  
16 on my part, and I want to commend Eileen for pushing the  
17 agenda forward, for getting something to happen, and I  
18 think that was hard to do and when it involves decision-  
19 making, getting something going.

20 Where I would perhaps add to that is when  
21 the rest of the -- the people that are deeply involved  
22 with this, if we're not along with you on that, we're not  
23 able to -- not standing with you when everything goes to  
24 hell.

25 Because we may have been saying there's a



1 problem here. Let's not do that or can we work this out.  
2 So the communication is really essential.

3 I -- I want to speak to some future  
4 projects. We've got comments coming and discussions  
5 being developed around solutions at fillsite 1, landfill  
6 2, and part of that expediency and cost savings, we'll be  
7 trying to cut back on the cleanup, and I would rather err  
8 on let's clean it all up. Let's do a maximum job. Not a  
9 Cadillac job, but let's clean everything up that's fill  
10 and waste, and I've said this publicly.

11 Where it is clean, yeah, okay. Let's leave  
12 it alone and leave that for restoration, but in my own  
13 struggles with this, I -- I'm coming up against technical  
14 details like confirmation sampling.

15 I'm being -- I feel like I'm being bogged  
16 down into that, where these kinds of things are normally  
17 understood how it's going to work.

18 And we leave waste in place. When we leave  
19 fill in place that may or may not be clean, we have to  
20 achieve a certain standard to leave that behind, and I  
21 would argue that we haven't come close to meeting that.

22 So now I'm involved in arguing the details  
23 how the sampling should be done and should it be  
24 contained in the decision document, and so I'm assured  
25 that that will be done properly.

1                   So we're bogged down in this kind of  
2     arguing about -- you know, we're fighting about -- and  
3     maybe the reason is well, if we don't remove that stuff,  
4     then it will save us money, and that's a reasonable  
5     thing.

6                   I actually agree we should save the  
7     remediation program money if it's clean, but we don't  
8     know that it is, and I can show you in the data -- I  
9     worked through all the data.

10                  I can show you where we've wasted money on  
11     trying to prove to everyone that it's clean, and it's  
12     fraudulent. It's false. It's flawed, and you're very  
13     upset that we spent money in that way to try to prove to  
14     leave something behind.

15                  MR. DEIS:    Are you talking specifically on  
16     landfill 1?

17                  FACILITATOR KERN:    I am, yes.

18                  We had a meeting two weeks ago where the  
19     department said -- Department of Toxics' representative  
20     said well, we've talked to the Trust and we realize that  
21     it's not naturally occurring, this particular chemical,  
22     selenium.

23                  The documents still say that the Trust  
24     believes it to be naturally occurring. So this is  
25     another argument that we get into is -- now back many

1 years ago, the Army proposed that chromium was naturally  
2 occurring in serpentinite, and there was a long  
3 discussion about that.

4                   You know, initially many of us were  
5 skeptical about whether that was true, but they went  
6 through exhaustive studies, and eventually they persuaded  
7 everyone that indeed chromium was a constituent of  
8 serpentinite.

9                   We're asked to believe -- I'm just picking  
10 out an example that selenium happens to be present in the  
11 native material in and around this landfill naturally  
12 when there was an incinerator right there.

13                   It doesn't pass any test. It doesn't pass  
14 the test. I don't want to have to fight those kind of  
15 battles. I want to get right to if we can save money,  
16 here's how we're going to do it and let's save money,  
17 because I think we share that.

18                   We share the idea of saving money and  
19 speeding things up. We definitely share that -- those  
20 goals. We're all in this the same way.

21                   But we don't want to do it on -- it just  
22 reminds me of the Army days when the Army tried to  
23 propose to us by almost concealing it within these deep  
24 technical arguments oh, there's no problem here at the  
25 Presidio.

1 I mean, they started with calling the cliff  
2 sites disturbed areas. They actually renamed those.  
3 They were originally called landfills.

4 So we uncovered all that evidence. We dug  
5 those things up and they were contaminated. They were  
6 landfills.

7 I don't -- I don't want to have to deal at  
8 that level. I want to be straightforward. I want to get  
9 everybody together as a team.

10 The Trust says, "We need to save money. We  
11 need to speed up. Can you guys agree to that?" and  
12 everybody will raise their hand and say, "Let's work it  
13 out."

14 But let's not fight all these battles  
15 around technical things which we can all read the  
16 documents and figure out and we can argue about.

17 I'm running at the mouth here. I'm running  
18 on. We have five minutes left with Craig. What else do  
19 we need to talk to him about?

20 MR. BERMAN: I think we need to speak  
21 about dealing with a community organization. We have  
22 really no authority in the sense of the Army or of the  
23 Presidio, and I think we recognize that here very much  
24 and we are very appreciative of the fact that we have  
25 been included in the decision-making processes on many

1 occasions, and if we have a record of wanting to make  
2 sure that the goals that were stated so clearly tonight  
3 by Craig and by Doug and we want to make those goals  
4 happen.

5 And so I think the difficulty about  
6 communication is in part of including everybody at the  
7 same time that you're trying to go at breakneck speed,  
8 especially including the public group here which does not  
9 really have any line authority of any kind.

10 So I just offer an expression of  
11 appreciation that we get included in this, but since the  
12 law says eventually the public is allowed to have  
13 comments, I think the essence of what Doug is saying is  
14 that the best way to do that is to get those comments and  
15 involvement as early as you can in the process, and by so  
16 doing, you will save time and decrease the opportunities  
17 for contentiousness, which is what we're trying to avoid  
18 by having everyone here tonight.

19 MR. DEIS: I think getting involved in  
20 that and getting people together to review all the sites  
21 ought to be a goal for us.

22 I know you have scoping meetings on  
23 projects. I don't know how exclusive they are and where  
24 they are in the process, but it's something we have to  
25 look at, so we can do it on a project by project basis.

1 FACILITATOR KERN: Well, there have been  
2 times where we have met very regularly and we're starting  
3 those meetings again. Nobody likes to have just meetings  
4 to have meetings. There's a lot going on.

5 So we need to keep talking. We need to  
6 keep sharing the ideas and be as straight with each other  
7 as possible to get this thing done.

8 And I think one thing that would be totally  
9 helpful is -- going forward is to make some kind of a  
10 pledge of commitment that everybody is in the same boat  
11 and we're offering comments to be constructive, to be  
12 positive for the project.

13 I know that sounds obvious, but none of us  
14 have any time to waste. I mean, we've all got to  
15 contribute and make the -- it will be better if  
16 everybody's ideas are incorporated.

17 So it's going to be a challenge.

18 MR. MIDDLETON: Yeah. You said it may be  
19 obvious, but we're saying -- I think any group that has  
20 differences of opinion, differences in perspective will  
21 have arguments.

22 We have them at our senior staff meetings  
23 all the time, and it's worth saying every so often that  
24 we're a team, we're here. We have different  
25 perspectives, but we're trying to do the same thing.

1                   Let's keep a respectful eye. I don't  
2 expect us to agree on all this stuff. Someone's going to  
3 have to make a decision along the way.

4                   The regulators have -- probably have a lot  
5 to do with that, but I do think we should recognize the  
6 longstanding commitment and the expertise that you guys  
7 bring and the difficulties that the staff has in trying  
8 to get these things done fast and just give each other a  
9 break, you know --

10                  FACILITATOR KERN: Absolutely.

11                  MR. MIDDLETON: -- because there is a lot  
12 to deal with.

13                  You talked about one issue, the landfill 1  
14 issue.

15                  FACILITATOR KERN: Right.

16                  MR. MIDDLETON: I'm briefed a little bit  
17 on the issue, but -- and we don't have to go into it  
18 here, but we need to come up with a solution.

19                  Sometimes I wonder if you added up all the  
20 time we spent in doing the back and forth and applied  
21 some dollar levels to those hours, whether sometimes it  
22 might make it a better and quicker decision if we just  
23 agree to agree and get on with it.

24                  I know we can't do that on everything, but  
25 some things, you can spend so much time disagreeing and

1 so much time in technical studies that we might be better  
2 off just coming up with a solution and compromising  
3 early.

4 FACILITATOR KERN: Well, I think that we  
5 can agree that -- and this -- I don't want to speak for  
6 anybody else. And the regulators don't necessarily --  
7 it's not part of their role to look at costs.

8 It's a whole nother thing, but I think they  
9 can look at costs and they can certainly be aware of it.

10 We want to be part of preserving the money  
11 to get as much done as we can. I just want to say that.  
12 I think RAB members would agree, and so in the back and  
13 forth, we're spending time and money, as you say.

14 We've got to cut that down. You got to cut  
15 that back a little bit and assume everybody has these  
16 shared goals.

17 So I know I'm repeating myself, but we are  
18 in the same boat. We are on the seam team.

19 MS. MONAGHAN: I agree with all of that,  
20 but also I wanted to bring up the fact that my opinion is  
21 that the Trust and the Army signed the memorandum of  
22 agreement.

23 You assumed the liability of the cleanup,  
24 and the community here is watching to make sure that it  
25 is cleaned up. We're very serious about this. We put in



1 thousands of hours to get it cleaned up.

2 MR. MIDDLETON: And that's what you should  
3 do.

4 MS. BLUM: I'd just like to put on my  
5 volunteer hat here for a moment because we're working now  
6 within the residential areas of the Trust and future  
7 recreational areas, that I think we feel even more keenly  
8 that we need to be as careful as possible to protect our  
9 sixteen endangered species on the Presidio and make sure  
10 that what we're doing is not going to be harmful for the  
11 children and the adults who play on these play fields in  
12 the future.

13 So again, I would urge -- I appreciate the  
14 suggestion that Doug made, which was the inclusion in a  
15 more aggressive way in restoration and certainly the Park  
16 Service who has an enormous amount of experience with  
17 preservation of the species and restoration of the land  
18 and preservation and so on into these this decision-  
19 making process, because it will affect people.

20 It's going to affect people down -- down  
21 the road, and it becomes equally important to me to make  
22 sure it's clean for the users.

23 MR. O'HARA: I'd like to support what Sam  
24 said about the responsibility -- the individuals who are  
25 the end users, the public, the taxpayers are -- who

1 everybody is responsible to.

2 The people -- the community members here  
3 are the public, and sixteen years I've been attending  
4 these meetings and I do it because I'm interested. I  
5 think we all do it because we're interested.

6 I am not as knowledgeable as some of my  
7 colleagues are, but there's a tremendous amount of talent  
8 around the table here, knowledgeable talent, and I think  
9 when the public participates on the front end with  
10 knowledgeable input, the Trust is best served by  
11 listening and engaging in dialogue with the members of  
12 the public at this level.

13 Because the farther away from the  
14 negotiating table or the conference table that you get,  
15 the less informed individuals are and the issues become  
16 less and less and less technical and more and more  
17 emotional, and I think that this organization here is a  
18 resource that has the technical background to assist in  
19 collaborating, and I think that needs to be recognized  
20 for what it is.

21 And I hate to see the amount of time that  
22 this organization has put in on a voluntary basis to be  
23 shunted to the side and overlooked because of other  
24 expediciencies, because in the long run, I think we are  
25 where we are at this meeting because that has happened,

1 and it's a shame.

2 It's a waste of our time. It's a waste of  
3 your time, and I think we need to re -- redefine or  
4 refocus our efforts on a collaborative basis to get some  
5 of these problems identified and solved.

6 MR. BERMAN: Well, you've heard from  
7 everybody that wanted to talk and say --

8 MR. O'HARA: It's past eight o'clock.

9 MR. BERMAN: We appreciate you being here  
10 and coming out this evening. And I hope the result of  
11 this is a -- perhaps a conscious pledge, to use a word  
12 that Doug introduced, to really make sure that  
13 communication is effective and in a timely way and that  
14 we plead with you as the management of the Trust to make  
15 that pledge and assure us that it will happen.

16 MR. MIDDLETON: I think I can make that  
17 pledge. I think that what's really going to be important  
18 is how we walk the talk and how to implement it.

19 You got the pledge. Now we have to talk  
20 amongst ourselves about how to deal with the compressed  
21 time frame.

22 FACILITATOR KERN: I'll just throw this  
23 out for people to consider. Now that we've had this  
24 meeting, I think everybody is somewhat sensitized and  
25 that quote unquote olive branches or things that people

1 do right now -- not right now, but in the immediate  
2 future should be looked at and changes can occur, and if  
3 somebody offers something to make things better, the rest  
4 of the people should acknowledge that and respond in  
5 kind.

6 I just offer that for consideration.

7 MR. DEIS: We on our side heard your  
8 concerns and we are getting your comments -- getting the  
9 information and facts out early, looking for your  
10 comments early on, early involvement so we can try to get  
11 a conclusion on what we're going to do recognizing you.

12 Why don't we on our side think of a way of  
13 facilitating it, maybe using some of the meetings and the  
14 processes we have, but being a little more dedicated to  
15 it or maybe creating something. I don't know.

16 FACILITATOR KERN: We'd be open to hear  
17 suggestions.

18 MR. ULLENSVANG: Sam asked if I wanted to  
19 be involved. I think Jeff was saying we all would.

20 MR. DEIS: Oh, yeah. Everybody who's a  
21 stakeholder here I think will be part of that.

22 MR. MIDDLETON: But I think -- maybe I'm  
23 stepping out of turn here. Somebody kick me if I am.  
24 Especially in this field, I come in and out of it, but my  
25 experience has been on occasion, it does seem like we're

1 dancing on the head of a pin a little bit, you know, when  
2 you get into these details and technical this and that,  
3 and maybe if we kind of all pledge to sort of cut to the  
4 chase, we'll get there faster, and maybe it won't take up  
5 so much time. Easier said than done, I realize.

6 FACILITATOR KERN: It is. It is, but I  
7 think at times there's been a concept of instead of all  
8 this, you know, one page, but -- I mean, we're digging up  
9 landfills, you know. Let's agree to go dig it up and  
10 then there's details, obviously.

11 MR. BERMAN: Thanks.

12 MR. MIDDLETON: That sounds good. I think  
13 sometimes you copy them.

14 FACILITATOR KERN: It depends. We can  
15 argue.

16 MR. MIDDLETON: Yeah. I'm sure we could.

17 MR. O'HARA: Thank you very much.

18 MR. MIDDLETON: We appreciate it. I don't  
19 know what Jerry's going to do now that he's been to a  
20 partial meeting.

21 Are you going to join?

22 FACILITATOR KERN: Well, I would propose a  
23 break and people can chat, and then whoever needs to  
24 leave may, and then we'll reconvene in five or ten  
25 minutes.

1                   MR. MIDDLETON:    I just wanted to say one  
2 more thing to the regulator of the agencies here,  
3 regulator agencies. Regulatory agencies. I really  
4 appreciate the work you guys are doing. I know the  
5 workload is high and, you know, it's tough working for  
6 the state these days, and we really appreciate all the  
7 help.

8                   MS. TSUJI:     What I will say is having  
9 meetings and having the exchange is great, but that also  
10 takes away from the project manager to do the job that he  
11 or she has been hired to do is to review the documents on  
12 behalf of the department and get -- get the document to  
13 the final, and what has impacted us greatly are the  
14 furloughs, and with this uncertainty for the upcoming  
15 fiscal year, it's going to be very, very difficult for us  
16 to -- not to say that the meetings that you're suggesting  
17 that happen aren't important, but for me as the project  
18 supervisor, I am -- I am limited to 32 hours.

19                   Agnes has to figure out now the four, five  
20 hours between travel and getting here between tomorrow or  
21 earlier in the week not to be doing work because she can  
22 only account for 32 hours.

23                   I'm different in that I keep on bleeding  
24 the blood and I do it because I physically cannot approve  
25 any overtime whatsoever.

1                   To me, it is important that the department  
2   continue the participation in the RAB, and I -- I'll be  
3   honest. I'm here on my time. On my time sheet, I do  
4   charge the Trust for my time here, but my other part of  
5   my day is not accounted for, because I have to -- they  
6   want us to stay as most places direct chargeable.

7                   So for us right now with -- I brought in  
8   with the smaller work pieces that are coming through,  
9   additional staff, but part of that is because they are  
10   light on their workload, but next fiscal year, I'm  
11   already -- I'm being asked to project working on backlog  
12   projects that are not associated with the Presidio.

13                  So you had one project manager. Now you  
14   have two, albeit one is part-time, and I've pulled in --  
15   for the lead abatement work that you've done, brought in  
16   somebody to -- dedicated to do that in addition to their  
17   other work.

18                  So I can't go out and hire more people.  
19   We're on a hiring freeze. I have no vacancies to cajole  
20   any management.

21                  So I would just ask the RAB, what you're  
22   asking of the department to do in reviewing these  
23   documents and having your input, if you disagree, saying  
24   you don't disagree so we understand what your concerns  
25   are so that we can digest it and figure out what we need

1 to do.

2 All the staff working on the project are  
3 not physically stationed in Berkeley. The toxicologist,  
4 he's down in Southern California. So just even to touch  
5 bases with him, sometimes it's two days of telephone tag.  
6 So it's not the easiest.

7 Our civil engineer is out of our Sacramento  
8 office. So logistically, my project managers are -- are  
9 not only juggling the physical work, but trying to get  
10 all the internal team working on -- on the same thing.  
11 We're answering the critical questions we need to answer.

12 So that is what the department is faced  
13 with.

14 MR. MIDDLETON: Part of our challenge is  
15 to make your work as efficient as you can, help you do  
16 that. We try.

17 MS. TSUJI: We haven't been the best  
18 project managers, I don't think. I'll acknowledge that.  
19 I'm trying to insert that, as well as do high quality  
20 technical work, but also be efficient and timely in the  
21 work.

22 I will be honest. The -- we're into  
23 performance measures for decision-making documents like  
24 the RAP, and from start to finish, the average time they  
25 are looking for us to is eighteen days. And I will get



1     judged on it, and that's an average.

2                 They recognize some will be less time, some  
3     will be more, but they have taken a three-year average  
4     and come up with it -- with the 218 days, and when you  
5     have -- most of our project managers have at least ten  
6     full big projects going on at one time, and that's just  
7     not -- so it would be like ten RAPs at the Presidio going  
8     concurrently, and the former base sites have been  
9     fortunate in that you've had a dedicated project manager.

10                So if they've had one or two decision-  
11    making documents to manage in the year, they could afford  
12    four or five meetings a week.

13                The workload now for the Presidio projects  
14    are coming closer to that what our other project managers  
15    have had to manage, and I think it's a learning curve for  
16    them to recognize they have to be a little more  
17    efficient.

18                They can't, you know, dot all the I's and  
19    cross all the T's. There may be something that are not  
20    going to be perfect, and I think -- and I commend what  
21    both -- from here at the Presidio as well as like  
22    Treasure Island, the cleanups have been stellar.

23                You know, that luxury has not always been  
24    afforded to some of what we refer to as the private site  
25    cleanups because of time, and I think part of that we --

1 is causing the backup with the insurance money.

2 The department is well aware that there is  
3 this fiscal end that has to be taken into consideration,  
4 and I am trying to manage this so that I try and please  
5 everybody, but I don't know that I can.

6 FACILITATOR KERN: I certainly appreciate  
7 understanding those constraints better and we'll provide  
8 as direct comments as quickly as we can to your folks.

9 MS. TSUJI: Because if I feel that -- I  
10 will use the upcoming RAP5A. We did our little -- we  
11 came and did the round table, but for us to wait until  
12 the RAB, if you want to provide something formal, that  
13 just delays moving forward.

14 You still have the public comment period to  
15 participate and give us your comments, but, you know,  
16 Medi, the project manager does not have the time to call.

17 I'm getting ready to put this out. So, you  
18 know, give me your comment.

19 FACILITATOR KERN: So you need it faster.

20 MS. TSUJI: I really need it. I was  
21 hoping that during the round table, based on what your  
22 comments were, we would have gotten a majority of those.

23 Because what Medi did, she went back and  
24 she reviewed the entire RAP, and based on comments that  
25 she heard, she considered those and she did additional

1     comments to the draft document she was reviewing.

2                     So it is our hope at this point in time  
3     what we have addresses a majority of the concerns that  
4     the community that commented, or we have the information  
5     exchange would do.

6                     I get the sense right now there's an  
7     expectation that we're going to try and incorporate  
8     everything today in the draft.

9                     In working -- I need to work with you, with  
10    the Trust --

11                    FACILITATOR KERN:     Sure.

12                    MS. TSUJI:     -- and -- you know, we're  
13    ready to move forward in opening it up for the formal  
14    comment period.

15                    You know, what comments does the RAB or any  
16    community has that we get during the course of the public  
17    comment period, of course the department will evaluate,  
18    respond to the comment and evaluate whether or not we  
19    need to go back and redo -- re-evaluate what's in the RAP  
20    and see if it needs to be modified.

21                    But typically projects that we work on  
22    aren't -- we recognize we may make -- be putting a  
23    document out there that's not going to make everybody  
24    happy, and we believe that the documents we put out are  
25    based on good science and we take -- I use the phrase

1 that we take -- the data takes us where we need to go.

2 FACILITATOR KERN: Sure.

3 MS. TSUJI: And we do evaluate the data.

4 FACILITATOR KERN: I will say that we will  
5 respond forthwith.

6 MR. DEIS: As will we. Thanks.

7 MS. TSUJI: You're welcome.

8 MR. DEIS: And also thank you for bringing  
9 more resources to bear on our projects. I know you've  
10 increased the staff.

11 MS. TSUJI: You're welcome. I want the  
12 project to succeed, and I recognize, you know, in  
13 government time, 2014 is only tomorrow night.

14 FACILITATOR KERN: Right. Are there any  
15 other comments before we break?

16 Thanks very much.

17 MR. MIDDLETON: Thank you, guys, and let's  
18 do this more often.

19 FACILITATOR KERN: Yeah.

20 (Recess taken).

21 FACILITATOR KERN: If you will permit me,  
22 I want to propose what we might do with the time. I want  
23 to ask -- or propose -- I don't want to put the  
24 presentation of the quarterly report -- to give it short  
25 shrift because we don't have much time.

1 I would propose that we could delay that.  
2 I'll just offer that.

3 MS. MONAGHAN: To the next month?

4 FACILITATOR KERN: Till the next month.  
5 To discuss it so it has time.

6 I think we could in just a few minutes deal  
7 with the -- a quick status, maybe on landfill 8 and 10  
8 and we could deal with -- I don't think we have enough  
9 people to vote, but we have a resolution commending one  
10 of our members who recently resigned her membership.

11 I think we could get those things done in  
12 the next few minutes.

13 Would that -- is that reasonable to  
14 everybody?

15 MS. MONAGHAN: Yes.

16 FACILITATOR KERN: With landfill 8 and 10,  
17 what can we say?

18 MS. FANELLI: What can we say? There are  
19 just some pictures here taken most recently. This is the  
20 top of 8. Right now we have sand cover on about half of  
21 it, and it's just evenly graded for erosion control.

22 The erosion control channel has not been  
23 repaired, but we are anticipating beginning to repair it  
24 next week, and it was -- the description of that repair,  
25 the range of description was copied to the RAB and it was

1 approved, so we're going to take the slope that was  
2 damaged and bring it back to its original configuration.

3 I don't have a picture of the gouge.

4 Landfill 10, we do have the parking lot  
5 paved. We do have the light standards up, although we  
6 don't have the actual lamps on the top, but that is  
7 coming along. There is another picture of it basically  
8 together.

9 Where we are in terms of construction --

10 MS. MONAGHAN: Are they using that parking  
11 lot now?

12 MS. FANELLI: They will be. We're hoping  
13 this week and next week, that they're going to get the  
14 signage completed.

15 As soon as that happens, the vehicles on 8  
16 will move to 10 and we will get over there and do the  
17 repair first and then continue to place the final sand  
18 cover.

19 FACILITATOR KERN: With respect to the  
20 repair work at 8 for that gully --

21 MS. FANELLI: Mm-hmm.

22 FACILITATOR KERN: -- can -- it was one of  
23 the things that I mentioned.

24 Are there meetings or descriptions as to  
25 what is going to be done there?

1 MS. FANELLI: In the letter that was sent  
2 to DTSC, there was a description of how we might repair  
3 different ranges.

4 One was to lay it back at two and a half to  
5 one slope, but that actually causes more significant  
6 disturbance to the adjacent sides of that slope.

7 Where there was discussion -- and albeit  
8 calculations was included in the document that was  
9 copied -- was to repair using geotubes to give it to  
10 lateral strength that will allow us to take it back to  
11 its previous slope of two to one.

12 We're moving it back to its previous slope  
13 of two to one by using reinforcement, Geotubes, and in  
14 order to facilitate the more natural plantings -- because  
15 it is a natural habitat zone -- we are then above the  
16 Geotubes putting about two foot of sand that will be held  
17 in place with retaining -- wooden sort of retaining  
18 structures.

19 So that will be an aesthetic piece, if you  
20 will, that will allow more free flow of the sand to  
21 facilitate the native habitat plants in that area. So  
22 that's what that will looking like.

23 At the same time, I think the Trust is also  
24 looking at other things to stabilize the adjacent slopes  
25 from future erosion.

1                   As you probably know, the Wyman Avenue  
2 houses that are below that area are in the middle of  
3 being rehabbed, and I think that their plan is to be  
4 completed mid summer and then rented out, and so we're  
5 working as a broader team with the -- that project team  
6 to look at other things that can be done to the slope to  
7 make sure sand doesn't slough off.

8                   FACILITATOR KERN: I guess I'll just  
9 quickly offer that it seems that there are places where  
10 that's been used effectively and maybe others where it  
11 hasn't worked. So I just offer that, but it's a whole  
12 other discussion.

13                  MS. FANELLI: And we have had those  
14 discussions internally with our natural resources. That  
15 is one reason why we are actually having to put a second  
16 tier sand layer on top.

17                  One is to make sure these Geotubes are not  
18 exposed and do not inhibit plant establishment at the  
19 surface, and that's the aesthetic and natural resources  
20 side.

21                  FACILITATOR KERN: Well, I'll just say  
22 that -- all right.

23                  MS. FANELLI: When we get the design  
24 drawings, we're going to do design sketches and they'll  
25 be field directed. Those sketches will be copied to DTSC



1 and the RAB. I'll be more than happy to take any  
2 comments or thoughts when you take a look at them if you  
3 see anything.

4 But our plan is to initiate that erosion  
5 repair and place the final sand cover hopefully next week  
6 if they get the striping done and move the cars. They  
7 may begin the repair before they actually move the cars.

8 MR. BERMAN: Can I ask just a very quick  
9 question? What keeps the geotubes from moving?

10 MS. FANELLI: The geotubes are laid down  
11 horizontally and they're open on the top and bottom, so  
12 they're in like an egg crate, and you actually lay them  
13 flat and you fill them with sand.

14 One of the advantages of using them in this  
15 particular instance, unlike using the Geotech fabric to  
16 give you friction, is that you can use wet sand, because  
17 you're getting your strength from the actual tube itself.

18 Whereas if we use just a flat Geotech  
19 style, you have to worry about moisture content and  
20 getting compactions.

21 The same problem that we now have at  
22 landfill 10, why we can't complete the grading there is  
23 because things are too wet.

24 So this will allow us to do the repair now  
25 without having to worry about dryer conditions where we

1 have to use a different kind of supporting mechanism.

2 MR. BERMAN: Is it the wet sand that  
3 actually keeps it from moving?

4 MS. FANELLI: Yeah. What these  
5 geotubes -- they come in different sizes, but they're  
6 about four inches high and they're about a nine inch  
7 hole.

8 When you fill them with sand, they form a  
9 laterally resistant barrier because the tube material  
10 keeps the sand in place from horizontal pressures, but it  
11 allows water to seep through, and you take these and you  
12 lay them in layers and you kind of -- you start with the  
13 bottom one and then your next one might go here, your  
14 next one might go there. You build sort of stair steps.

15 And you will on some of that have a looser  
16 sand that's supported by a retaining structure like wood  
17 retaining structure that's not structural, but it's just  
18 on the upper two feet of sand.

19 FACILITATOR KERN: There's a lot of detail  
20 on this, and -- yeah. I have concerns, but Julie, did  
21 you have --

22 MS. CHEEVER: Does the geotube eventually  
23 disintegrate?

24 MS. FANELLI: No. They're there forever.  
25 They're made out of plastic.

1 MS. CHEEVER: Then I'm confused between  
2 final sand cover and final design. The final sand cover  
3 might be started to be put on as soon as next week.

4 Is that right? But then I'm just thinking  
5 about how in landfill 10, some of the work is going to  
6 wait until May when the rains are over, but is landfill 8  
7 a flatter situation where you can actually try to finish  
8 it right now?

9 MS. FANELLI: Yes. That is correct. Let  
10 me go back to this list here. Finishing the -- the  
11 asphalt parking lot is done, so hopefully we'll move the  
12 cars.

13 At 10, completing the hydraulic analysis of  
14 the northern portion of that. We're going as fast as we  
15 can. We're hoping to get it out by the end of this week.

16 That would respond to comments from DTSC.  
17 You've all been copied on that, the hydraulic analysis,  
18 and any design recommendations to control water on the  
19 northern portion. So that is in progress.

20 We are also initiating planting on the  
21 slope, and I think Brian can give us a better idea of the  
22 timing of that, and I know you had a copy of the letter  
23 from DTSC that reviewed our submittal of what areas of  
24 the slope were suitable for planting, and that planting  
25 should start --

1 MR. ULLENSVANG: Right now, the current  
2 projection is to start planting on Thursday. We'll be  
3 out there. I won't promise that it's exactly Thursday.  
4 It might be Friday.

5 MS. FANELLI: Okay.

6 MR. ULLENSVANG: But the area has been  
7 flagged, so if you were to look at the site, the flagging  
8 area will be planted.

9 MS. FANELLI: We're thrilled about that.  
10 That will only help to get plants on the slope.

11 Then at 8, we are doing the erosion  
12 repairs, as I mentioned, and placing final sand. So as  
13 part of that -- the letter that talked about -- that we  
14 submitted that talked about the erosion repair, we did a  
15 hydraulic assessment of 8.

16 That is still in review, but tending that  
17 review with DTSC and recall, a civil engineer, we will  
18 hopefully begin to begin placement of the sand cover very  
19 soon after doing the repairs.

20 So yes, the final sand will go on top.

21 MS. CHEEVER: And then what planting above  
22 that?

23 MS. FANELLI: And then planting would  
24 follow with our Natural Resources folks. We have  
25 propagated some plants and collected seeds. So that

1 would occur, plus Natural Resources on the top of  
2 landfill 8.

3 MS. BLUM: Right away? April.

4 MS. FANELLI: You know, I would have to  
5 check with Mark Frey. I don't know his schedule, his  
6 timing. I think they want to begin soon.

7 So I think some of those plants will be  
8 planted as soon as possible.

9 MS. CHEEVER: Thanks.

10 FACILITATOR KERN: Which should --

11 MS. FANELLI: I wanted to mention graded  
12 area 9. We all know that we're putting the sand cover  
13 there, too.

14 Given the experience that we've had on 8  
15 and 10, I'm pushing to pull that back a little bit  
16 because I want to do the same type of hydraulic  
17 assessment on that site before we move any of the sand  
18 around.

19 In particular because we found the fill  
20 that we're covering to extend a little bit to the south  
21 and the west, if I've got my directions correct. Which  
22 means it's going downhill.

23 And so before we just blindly go ahead and  
24 put sand heading downhill, even though it's a different  
25 hydraulic area. It's very small; doesn't have a large

1 watershed, we want to check that and look at that.

2                   So that actually may be pulled out of the  
3 current contract or delayed until we get that done, and  
4 what would drive that schedule would be the birds.

5                   Because some of the -- to cover everything,  
6 we have some shrubs that have to be removed. We're in  
7 song bird nesting season, and so we may have to wait till  
8 August, or if we can do the survey and clear it, then we  
9 would go ahead and do that, but we're going to have -- a  
10 lot of that area is in area A, so Brian and I have  
11 already talked about it.

12                   We're going to set up a meeting to figure  
13 out what to do to complete our assessment and make sure  
14 that the sand that is placed is going to be stable.

15                   But we fully expect it to happen this year  
16 before the next wet season. So that's the schedule  
17 without a lot of details.

18                   Fillsite 1, landfill 2, the tree removal is  
19 complete. We're working on getting the RAP out as we can  
20 this month, and that's all I have.

21                   I do have a couple of pictures that I don't  
22 know that you're interested in seeing. Basically we have  
23 completed the erosion controls. We have one where the  
24 guy in the orange vest is standing in it. To replace the  
25 field that was once there.

1                   Here's a big view of the site. We have  
2   reestablished the trail that goes from El Polin Springs  
3   up and we have actually fenced it.

4                   So you can see the fence -- let's see if I  
5   can get my little marker become there. This fence  
6   connects to the old stairs and it keeps people off of the  
7   area where we've removed the trees.

8                   It gives them -- you might see that there's  
9   a little goat like in your gait to get up this trail here  
10   and to get back up to the site.

11                  So here is the view of the site.

12                  MS. BLUM:   How big is that site?

13                  MS. FANELLI:   I don't know. We did  
14   removal of 350 trees. I know that was a shock when it  
15   happened, as much outreach that we did. But it's done.

16                  The black pipe that you see is storm water  
17   that comes off of Quarry Road and we're continuing to  
18   pipe that over the area that we've graded and taken  
19   directly down to the spring area. It's just another view  
20   of the site.

21                  MS. BLUM:   It's being bumped into El Polin  
22   Spring.

23                  MS. FANELLI:   It normally went there.  
24   It's just being pumped into the spring. It's just  
25   gravity draining down and going down the cobbles.

1                   So you can see the parking area that we've  
2   reestablished up here at the corner up in here.

3                   MS. BLUM:   Are you doing water testing on  
4   that water that's coming downhill off the --

5                   MS. FANELLI:   You know, that was an  
6   interesting comment. We are testing it and the seep  
7   paneling has outlined in the water monitoring plant.

8                   So we routinely collect samples of the  
9   seepage and groundwater. So yes, we're continuing that  
10   way, but we haven't gone out and collected any additional  
11   samples.

12                   The site always had water discharging and  
13   seeping, so Doug, I know that water's coming through the  
14   landfill material. I think it always has.

15                   Your point has there been a change in the  
16   amount, because we don't have the uptake of the trees or  
17   that. That may be -- that may be the case. We haven't  
18   done that water balance.

19                   That's just another view. I think that's  
20   all I've got for pictures.

21                   MS. BLUM:   That all ends up in Crissy  
22   Marsh. It all ends up in the bay.

23                   MS. FANELLI:   The water that's discharging  
24   from the site should very much -- it's what's discharging  
25   before. We have changed the contour, so part of our



1 design effort will include a complete hydraulic --  
2 hydrologic analysis of this area.

3 As you know when the water discharges El  
4 Polin, it goes across and it goes into a twelve inch  
5 diameter storm drain and goes down the road.

6 The one thing that we want to make sure is  
7 that storm drain is to carry all the water drainage of  
8 this site, so we expect to have higher volumes of water  
9 discharging than previous.

10 So that's it on those sites. I'll bypass  
11 all the other stuff, and we can go through the financials  
12 at any time next month is fine.

13 FACILITATOR KERN: Thank you, Eileen.

14 Agnes, anything? Denise or Agnes?

15 MS. FARRES: Real quickly, in response to  
16 your e-mail about erosion control concerns at fillsite 1,  
17 landfill 2, we did do a site inspection along with DTSC  
18 in February and we made some recommendations then, and  
19 they have provided me today with their final erosion  
20 control plan, and I provided additional comments.

21 So we're continuing to work together on  
22 this site and stay on top of it.

23 FACILITATOR KERN: Thank you. Thank you  
24 very much.

25 MS. TSUJI: I will be quick. I brought in

1 our monthly update. One big building 65, we did issue a  
2 no further action letter for that one building. I have  
3 dedicated -- assigned a person to start reviewing the  
4 lead-based paint projects.

5 The Presidio will be trimming those and  
6 trying to chip away at some of the older work that has  
7 been backlogged.

8 Last month, we did have questions as to  
9 accessing documents when you get the Enviro Store.

10 I did bring -- and I will quickly go  
11 through it. The first page, in fact, you should have  
12 received in this morning in our e-mail. It is the --  
13 documents in the NFA letter for building 65, I've  
14 highlighted profile reports, so if you click that profile  
15 report, in the e-mail, it will take you to the next page,  
16 which is the screen that you see.

17 The first page that you get is identified  
18 as summary, and the next page copies are the actual  
19 profile report.

20 So as you scroll down the screen, you'll  
21 come to where it says: "Currently scheduled activities  
22 through June 30, 2010." That's what we are planning to  
23 work on, at least what's been inputted into Enviro Store.

24 There are future activities, so they're not  
25 within that calendar June 30 time frame. They're post

1 June 30.

2 Then you come to where it says: "Completed  
3 activity." The first document that you see that says:  
4 "New document," and if you click that one, it corresponds  
5 to your e-mail notification.

6 So it's the doc -- that first posting is  
7 under completed activities will be the reason why you got  
8 the e-mail.

9 The actual profile report, if you did print  
10 it, is nine pages long. I didn't give it -- all of it.  
11 I just picked the key pages to link.

12 As we post documents, they are done  
13 basically in chron order, so it should just show up via  
14 the first line item under completed activities.

15 So I hope that helps. If you do run into  
16 difficulties, please, you know, give me a call, e-mail me  
17 and I will -- we do have glitches.

18 FACILITATOR KERN: Thank you very much,  
19 Denise.

20 Okay. We have this on item number 7, the  
21 Michelle Passero resolution.

22 Shall we send it to her without voting or  
23 should we put it -- because we don't have enough people  
24 to vote, or should we vote at this number of folks that  
25 are still --

1 MS. MONAGHAN: I don't think -- nobody's  
2 had any comments on the resolution and had it reviewed.  
3 We should vote on it and send it to her.

4 MR. BERMAN: I agree. It's a very nice  
5 plaque, looks very good, and delaying it for the another  
6 month doesn't seem to make any sense.

7 FACILITATOR KERN: Right. Well, I would  
8 entertain a motion, and we will note in the record the  
9 number of votes that we have. I think it would be the  
10 sense of the group that her participation was greatly  
11 appreciated, and in this case we want to get her that  
12 appreciation.

13 MS. CHEEVER: I move that we approve the  
14 resolution.

15 MR. CALLANAN: Second.

16 FACILITATOR KERN: Any discussion? All in  
17 favor?

18 (Unanimous affirmative vote).

19 FACILITATOR KERN: Opposed?

20 Thank you very much.

21 MR. BERMAN: Who actually paid for that?

22 FACILITATOR KERN: It was Mark in  
23 collaboration with --

24 MS. MONAGHAN: Didn't you, Julie?

25 MS. CHEEVER: I proposed the wording,

1 but -- I looked at other resolutions that we had given to  
2 other people, but I also thought about what Michelle's  
3 particular contribution has been. So it's in tradition,  
4 but particularized.

5 FACILITATOR KERN: All right. And we will  
6 get you something quickly. That's item 7B.

7 Public comment, we've been through that  
8 quite a bit.

9 I would say are there any other items for  
10 the good of the order? I would very much like to thank  
11 our public agency folks for being here tonight. Thank  
12 you to all of you for spending your evening and hearing  
13 our thoughts and concerns.

14 Any other comments?

15 MR. BERMAN: When we send an agenda out  
16 for the committee meeting, we will have time to discuss  
17 this.

18 FACILITATOR KERN: Then without objection,  
19 meeting adjourned. Thanks very much.

20 (The meeting concluded at 9:05 PM).

21 ---o0o---

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1 STATE OF CALIFORNIA )

2 COUNTY OF SAN FRANCISCO )

3 I, the undersigned, hereby certify that the  
4 discussion in the foregoing meeting was taken at the time  
5 and place therein stated; that the foregoing is a full, true  
6 and complete record of said matter.

7 I further certify that I am not of counsel or attorney  
8 for either or any of the parties in the foregoing meeting and  
9 caption named, or in any way interested in the outcome of the  
10 cause named in said action.

11  
12  
13 IN WITNESS WHEREOF I have

14 hereunto set my hand this

15 7<sup>th</sup> day of April,

16 2010.

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18 MARK I. BRICKMAN CSR 5527  
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DRAFT REMEDIAL ACTION PLAN  
PUBLIC HEARING

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REPORTER'S TRANSCRIPT OF PROCEEDINGS  
MONDAY, APRIL 12, 2010  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

24

Reported by: AUDREY L. TAKATO, CSR  
License No. 13288

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ATTENDEES

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Richard Perry, Facilitator  
Eileen Fanelli  
Denise Tsuji  
Jim Polisini  
Members of the public

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BE IT REMEMBERED that, pursuant to Notice of the  
Hearing, and on April 12, 2010, at the Officer's Club,  
Building 50, Presidio of San Francisco, California,  
before me, AUDREY L. TAKATO, CSR No. 13288, State of  
California, there commenced a public hearing under the  
provisions of the Presidio Trust.

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AGENDA

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- 1) Welcome and Introductions - Richard Perry
- 2) Presenter Denise Tsuji
- 3) Presenter Eileen Fanelli
- 4) Presenter Denise Tsuji
- 5) Presenter Jim Polisini
- 6) Public Comments
- A. Nancy Graalman

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Action Plan Hearing, Draft Remedial.txt

B.	Nuala Sheetz	36
C.	Sara Segal	42
D.	Craig Kenkel	44
E.	Doug Kern	46
F.	Stewart White	54
6)	Closing	56

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FACILITATOR PERRY: Well, it's 6:15. We had scheduled this from 6:00 to 8:00, so I think we'll get started now. And hopefully we will get through this evening.

My name is Richard Perry. I'm with the Department of Toxic Substances Control, and the facilitator tonight. We're going to have a couple presentations from the Trust and from the Department and we're going to take questions.

If I could, I would like you to hold your questions until we get to that comment period. You might find it through one of the presentations that your question is answered. And if not, we will do what we can to answer it this evening.

Since we do not have all the parties here that are part of the project team, it may be that we have to take your question back and respond to you when we get back to our project team.

This is the public meeting that is held about midway through the public comment period on RAP 5 here at the Presidio. The comment period I believe ends April 21st, and we will produce a Response to Comments document from this evening's questions.

So if you have not signed in, I ask that if

you could please do so, we have an address to send you the Response to Comments document. And also, if you find that you have questions that come to mind after this evening, please submit them either to Eileen or to the Department of Toxic Substances Control, and I will make sure that you have that contact information.

Let's see. I think that's about all the little housekeeping things I have. And so with that, I would like to ask Denise Tsuji from the Department of Toxic Substances Control to come up, and we'll begin the presentations this evening. Denise.

DENISE TSUJI: I dislike podiums. Can you hear me? No?

UNIDENTIFIED SPEAKER: Yes.

DENISE TSUJI: Because it swallows me and I have to tip-toe, so I'm not going to use the podium.

This is a slide of the Department's site mitigation cleanup process. It is from the point of discovery, and this slide is a general slide. Currently, we are right here in the Draft RAP including



21 the proposed CEQA method (inaudible). As a part of our  
22 public participation outreach, there is a fact sheet  
23 that is also entitled Public Plan. And as part of our  
24 requirements, we are holding tonight's public meeting.

25 Prior to that we did investigation to

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1 determine the extent of the environmental problem. The  
2 Draft RAP document is the Department's proposed plan to  
3 clean up Landfill 1 --

4 EILEEN FANELLI: Fill site.

5 DENISE TSUJI: Oh, Fill Site 1, Landfill 2,  
6 and El Polin Spring. I do a shorthand and nobody else  
7 understands.

8 Within the cleanup document, we've looked at  
9 several different cleanup alternatives, and each of  
10 those alternatives are evaluated against nine criteria.

11 And those nine criteria are and foremost is:  
12 Overall protection of human health and the environment;  
13 compliance with applicable or relative and appropriate  
14 requirements, which means it could be state and/or local  
15 requirements; long-term effectiveness increments;  
16 reduction of toxicity, mobility, or volume; short-term  
17 effectiveness, implementability; cost; State acceptance  
18 and community acceptance.

19 The reason why the listing of State  
20 acceptance is these nine criteria are following the  
21 federal cleanup standards.

22 For our cleanup that we are going to talk  
23 about tonight, initially, a park-wide cleanup level  
24 document was prepared. And based on the various  
25 contaminants, a cleanup level was identified. As

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1 different parts of the park are being cleaned up, a  
2 separate risk evaluation is done for each site as  
3 conditions and settings differ. The potential risk to  
4 human health in the environment are all evaluated.

5 And with that, I will turn it over to  
6 Eileen. Oh, no. There's more. I have more. I'm  
7 sorry.

8 The primary regulatory agencies involved  
9 from the State are DTSC and the Regional Water Quality  
10 Control Board. For the three areas that we are talking  
11 about tonight, the Presidio Trust is the primary -- what  
12 we refer to as the responsibility party for the cleanup.  
13 In addition to that, we have been working with the  
14 Restoration Advisory Board and also the general public.

15 What is the RAP? As I said, the Draft RAP  
16 covers the three areas. I will repeat them again: Fill  
17 Site 1, Landfill 2, and El Polin Spring. We began the  
18 30-day comment period for both the Draft RAP and our  
19 CEQA March 22nd, and comments will be received through  
20 April 21st.

21 The Department will review each of the  
22 comments, prepare a Response to Comment document as well  
23 as -- based on the comments -- review the RAP to see if  
24 there are any changes or modifications that -- based on  
25 the comments that may be required.

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1 And with that, I get to exit stage 1.  
2 EILEEN FANELLI: Okay. So I'm standing in  
3 tonight for Genevieve Coyle, who is the actual Trust  
4 project manager, just to give you an overview of the  
5 three sites.

6 Fill Site 1, a 2.8 acre site contains about  
7 25,000 cubic yards of soil and debris fill. The  
8 contaminated material is primarily landscape waste,  
9 minor incinerator waste -- ash at Fill Site 1 --  
10 miscellaneous debris, and building debris. Brakes,  
11 masonry, those types of items.

12 Landfill 2 has a surface area of about 1.8  
13 acres. It contains about 22,000 cubic yards of  
14 material, again, soil and debris. More municipal-type  
15 waste, significantly more incinerator waste, and  
16 building debris in that landfill.

17 El Polin Springs is the downgradient  
18 receptor; that's how we think of it. It is a natural  
19 spring location. A historic site within the Presidio  
20 Trust jurisdiction. There was no waste material used  
21 there or stored there, but it is included as a site  
22 because of its downgrading location.

23 This is a map of the locations. Fill Site 1  
24 is currently -- vegetation has been removed, if you've  
25 been out there. But it's a flat area that slopes

0009 1 steeply down to the El Polin Springs area, and it's been  
2 used as a parking lot.

3 THE REPORTER: I'm sorry. Can you please  
4 speak up. I can't hear you.

5 EILEEN FANELLI: Sure. I'm sorry. Let me  
6 stand on this side and then I'll be speaking this way.  
7 It's a flat area that's used as a parking  
8 lot primarily for Paul Goode Field.

9 Landfill 2 was a historic forest, and  
10 adjacent to the natural habitats the serpentine slopes  
11 of Inspiration Point, below Inspiration Point.  
12 Obviously, the trees have been removed at this point in  
13 time, but it is a canyon area -- a former canyon that  
14 was filled with landfill debris.

15 El Polin Springs is a combined -- it's an  
16 area where all sorts of land uses and things come  
17 together. It's a historic area. It's a natural habitat  
18 area and has significant cultural resources associated  
19 with it.

20 The Trust took over for the remediation of  
21 these sites back in 1997. And prior to that, the Army  
22 was conducting and responsible for remediations. And  
23 then a short amount of time in between where (inaudible)  
24 --

25 THE REPORTER: I'm sorry. You need to keep  
0010 1 your voice up. I can't hear you.

2 EILEEN FANELLI: And a short period in  
3 between where the park service was actually responsible  
4 for the remediations.

5 I'm sorry. Usually I feel like I'm talking  
6 too loud. I'll try to project better.

7 THE REPORTER: Thank you.

8 EILEEN FANELLI: Remedial investigations  
9 have been conducted. They've included significant  
10 historical records and archival reviews of documents  
11 maintained by the Army. Those were conducted by both  
12 the Army and the Trust. The Army conducted several soil  
13 investigations between about 1990 and 1995, and then the  
14 Trust conducted additional investigations in 2000 and in  
15 2009.

16 At Fill Site 1 about 98 soil samples have

17 been collected from 43 various locations. Those  
18 locations are both test pits and soil borings. They've  
19 been analyzed for a full sweep of contaminants including  
20 metals, cyanides, pesticides, PCBs, volatile organic  
21 carbon components, semi-volatile organic carbon  
22 components, petroleums, dioxins, and furans.

23 Land Fill 2 has had the analysis. 81 soil  
24 samples collected from 40 locations at that site.

25 This is a cross-section -- a typical

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1 cross-section through Fill Site 1. What you see in the  
2 upper green is the area of waste fill that is proposed  
3 for removal under this RAP. There is an area of  
4 non-waste fill. It's fill soils that overlie native  
5 materials, dune sand, and Colma Formation.

6 This hatched questioned area is shown  
7 because it is difficult in this area to actually  
8 distinguish between fill soils and dune sands. They're  
9 very much similar in their pathology and their  
10 presentation.

11 This is a cross-section through Landfill  
12 2 -- a typical section -- and you can see how the ravine  
13 in that area has been filled with waste debris. This is  
14 the serpentinite rock coming down from Inspiration  
15 Point. There is a Colma Formation and dune sand  
16 adjacent on the other side.

17 The investigations that have been conducted  
18 include groundwater and surface water. There are a  
19 total of 15 groundwater monitoring wells in the area.  
20 Seven of them are at and downgradient of Fill Site 1,  
21 and three of them are at or downgradient of Landfill 2.

22 In addition, there have been seven surface  
23 water monitoring locations. Primarily seeps, when they  
24 are flowing, they have historically over time been  
25 sampled.

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1 Water quality monitoring has been conducted  
2 by the Army beginning in 1990 and have continued through  
3 by the Trust. So we have, in some locations, close to  
4 20 years' worth of groundwater quality data.

5 The analyses have included general water  
6 quality parameters, in addition to the contaminants of  
7 concern (inaudible).

8 THE REPORTER: I'm sorry. I can't hear you.  
9 Can you speak up or use the microphone, if possible.

10 EILEEN FANELLI: Well, all right.

11 THE REPORTER: Thank you.

12 EILEEN FANELLI: We can go to the next  
13 slide.

14 In addition, and as part of the site  
15 investigation activities, we have done a risk evaluation  
16 that was put forward in the feasibility study for these  
17 sites. And the data that was collected from all of the  
18 different materials were compared first to the  
19 Presidio-wide cleanup level document, which includes  
20 cleanup levels based on human health risks, ecological  
21 risks, background concentrations for various  
22 constituents in the different soil materials including  
23 the Colma Formation, dune sand, and serpentinite and  
24 groundwater protection values.

25 In addition, site-specific evaluations were

0013

1 done which looks at statistical analyses, and Jim's

going to go into a little bit more detail on that in a moment, so I won't spend a lot of time there. But you will note that for this particular RAP, we are proposing a site-specific ecological cleanup level for selenium of 2 milligrams per kilogram.

The site risks at Fill Site 1 differ slightly from those at Landfill 2. Fill Site 1 is primarily driven by ecological risks and not human health risks. The COCs are metals, pesticides, polynuclear aromatic hydrocarbons -- that's the PAH -- and dioxins and furans, which are associated with the small amount of ash burn material.

In Landfill 2 we have both human health risks and ecological risks. The COCs are similar at that site.

We do not see COCs above any of our cleanup criteria or risk base values in groundwater at El Polin Springs; however, we have continued to monitor there, and we're proposing to continue to monitor for a period of time following remediation to make sure that the change -- there has been no change in site condition as a result of the action.

Our objectives -- as Denise stated -- is the protection of human health and the environment including

ground and surface water. The Trust program -- remediation program also has additional objectives, and those include recycling and reuse of the material that is excavated if it's excavated as part of the remedy to the extent practicable. A lot of building debris are in these Army fill sites, and oftentimes some of that material -- asphalt, rock, concrete -- can be beneficially recycled.

We also have a stated preference for clean closure, and as you'll see -- as you see in the document, we're actually proposing clean closure for Fill Site 1, Landfill 2.

The remedial alternatives considered include: No action, leaving the sites as is; placing a low-permeable cover on the sites so that you've got the separation layer to be protective of human and ecological health; and then a third alternative, which is the proposal alternative which is to remove the excavation, the contaminated soil and debris fill.

We can go to the next one.

FACILITATOR PERRY: You want to be on the other one?

EILEEN FANELLI: Oh, is this the next one?

FACILITATOR PERRY: Uh-huh.

EILEEN FANELLI: I'm at an odd angle now, so

I can be by the microphone.

So the remedy is to remove and excavate it. We are going to segregate as possible materials that can be beneficially recycled. We don't anticipate a lot of that occurring at Landfill 2; potentially some at Fill Site 1.

Following the removal of the waste material, we do collect confirmation samples, and that's to document that all the waste material that poses a risk has been removed.

And at Fill Site 1, we will be collecting shallow and deeper samples to make sure that the

remaining fill materials are indeed suitable for the future lands uses.

The cost for these two programs are listed in the RAP, and you can see they're on the order of about \$6 million for each site.

This is a figure that shows those several sampling locations. It's included in the RAP, but our intent was to fully characterize the waste material and material surrounding and beneath the waste material at Fill Site 1.

The same types of figures for Landfill 2. And you'll note that the -- Landfill 2 is surrounded by sensitive habitats. The purple is the serpentine

grasslands and wetland features that surround the site.

During construction you can expect a few things. Obviously, there will be a fair amount of construction. And depending approval of the RAP, it's the Trust's intention to begin excavation of landfill removal as soon as possible this summer.

Our work hours will generally be between 7:00 a.m. to 5:00 p.m. Monday through Friday, but extended hours are always a possibility, depending on site conditions and the actions -- activities of the contractor. We will reroute recreation trails through the area.

Pop Hicks Field is going to be used as the primary staging area. It's also known as Landfill E. Most of you here are familiar with it. Noise control measures and dust control measures will be implemented as part of the construction. And then our excavation areas will be re-graded to provide proper drainage and protection from erosion in the future and made suitable for future restoration of the site.

The traffic plan: there will be a fair amount of trucks. We're removing, as you can see, about 55,000 cubic yards of material. We're estimating as many as 6,000 trucks to take that material off site. The primary access will be Quarry Road trail to Pop

Hicks Field, and then they'll go out Barnard Avenue to get off the Presidio property.

We are limiting construction traffic on residential streets. Actually, we're telling the contractor they can't have any major vehicles or construction equipment on our residential streets. There will be no entry to the contractor for their trucks via any of the residential gates: 14th Avenue, 15th Avenue, Arguello, Presidio Boulevard, and 25th Avenue. They are limited to getting onto Highway 1 down by Doyle Drive or out the Lombard Gate.

We will have a number -- it is our Presidio Trust, Public Affairs Department -- that will be available throughout the project if there's questions, concerns, complaints to be lodged.

This is the map. It's also included in the -- I believe it's in the CEQA document attached as an appendix, and it shows those primary routes. I'm going to walk away from the microphone just so I can point them out.

All right. So the primary graph will be coming in along Lombard or out towards Doyle Drive, Presidio Boulevard, Barnard Avenue to Pop Hicks Field.

24 The contractor is being directed at this point to do all  
25 of his staging and parking on Pop Hicks Field.

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1 Quarry Trail has been improved slightly. If  
2 you've been out there, you might notice that it has been  
3 rocked. It was rocked for the earlier tree removal.  
4 That will be the contractor's primary road, and he'll  
5 maintain that throughout his work. He'll get between  
6 the two sites by any means that he decides, likely  
7 through a temporary road to access the sites.

8 We do have a secondary route that the  
9 contractor would have available if necessary, and that  
10 is a dirt road that would likely be improved that goes  
11 behind Paul Goode Field and above Julius Kahn, and takes  
12 the contractor out to West Pacific, and then from West  
13 Pacific, along Presidio Boulevard and out the gates that  
14 they're limited to.

15 After the waste is removed, the Presidio  
16 Trust would then be available or able to commence with  
17 site restoration. That restoration currently includes  
18 replanting a historic forest that has been removed,  
19 restoration of native plant areas in the -- primarily in  
20 the Fill Site 1 and the serpentine grassland areas, and  
21 improvements that were going to be made for enhanced  
22 recreational facilities: trails, picnic areas, a ball  
23 field, and some parking upgrades. Those improvements  
24 are outlined in the Tennessee Hollow Environmental  
25 Assessment that the Trust completed a few years back.

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1 And now I'm going to turn it back to Denise.  
2 DENISE TSUJI: The Remedial Action Plan is a  
3 discretionary decision document the Department  
4 undertakes because of the fact that we're making a  
5 decision that we need to comply with CEQA. In this  
6 case, we prepared an initial study, which is appendix H  
7 in the Draft RAP.

8 Based on the proposed cleanup alternative  
9 that is recommended, a Negative Declaration is proposed.  
10 As a part of the initial study, several different areas  
11 are evaluated. And among them are traffic, air quality,  
12 noise, biological and cultural resources, geology and  
13 soil, as well as land use. This is not the entire list.  
14 This is just some of the key ones that I pulled out.

15 Based on the impacts of the cleanup and some  
16 proposed activities within the cleanup -- such as the  
17 noise control, dust control, limiting traffic  
18 patterns -- the Negative Declaration was identified as  
19 part of our decision.

20 The public comment period that we're  
21 undergoing right now does include the CEQA's public  
22 comments, so we do welcome your comments on the CEQA.

23 With that, I turn it over to Jim Polosini,  
24 our ecotoxicologist.

25 JIM POLISINI: I hate these things too, but

0020

1 I guess in the interest of getting notes, I'll use one.  
2 Okay. Well, the last time I was here on a  
3 dark, stormy night with the RAP board, I was asked to  
4 take a look at two of the risk-based cleanup values that  
5 were developed for these sites at the Presidio.

6 One of those was a no observable adverse  
7 effect level. That means essentially according to the  
8 calculations, you shouldn't have any adverse effects,

9 and we'll talk about what those adverse effects might be  
10 in a minute. And that risk-based value -- the lowest  
11 one came out to be 0.2 milligrams per kilogram. And  
12 that Table 5-12 means that that occurs in the 2002 slash  
13 revised Presidio Cleanup Value document. So if you want  
14 to look that up, that's where it is.

15 That's actually below the detection limit of  
16 0.5 milligrams per kilogram. So 0.5 milligrams per  
17 kilogram of selenium would be the lowest that can be  
18 detected, and that was taken as the evidence of the no  
19 adverse effect.

20 I should mention again that -- as it says at  
21 the top -- this is for the American Robin. And the  
22 reason this concentrates on the American Robin is the  
23 American Robin was modeled as completely invertivorous.  
24 That means it feeds only on invertebrates in the soil.

25 And the reason that turns out to be the most

0021  
1 sensitive receptor is that the invertebrates take up  
2 selenium from the soil land, bioaccumulates them in  
3 their tissue, or they have a concentration in the  
4 tissue.

5 That, for some contaminants, can be actually  
6 above what's in the soil. That didn't turn out to be  
7 the case for selenium here. It's actually a little bit  
8 below what's in the soil. But the Robin is eating --  
9 getting all its food, all its caloric intake, from those  
10 invertebrates in this model, anyway.

11 Then there is a second risk-based value  
12 that's calculated at a lowest observable adverse effect  
13 level. That means that in a set of toxicity  
14 experiments, there was a concentration at which adverse  
15 effects -- which whatever that adverse effect was -- and  
16 we're going to talk about the different types in a  
17 minute -- a concentration at which that adverse effect  
18 was first observed.

19 So you have a toxicity experiment that has  
20 different concentrations in it, and somewhere in that  
21 range of concentrations, an adverse effect was first  
22 observed. And if we use that toxicity value and  
23 calculate a risk-based concentration for selenium, it  
24 comes out to be 2 milligrams per kilogram for the  
25 American Robin. It would be different for different

0022  
1 receptors, but the robin was the most sensitive for  
2 selenium; and that's in Table 5-13.

3 So what the RAP asked me to do was to look  
4 at the selenium concentrations -- how the selenium  
5 concentrations were developed as to specifically this 2  
6 milligrams per kilogram to determine whether or not it  
7 would be protective or not or to give an idea, a sense  
8 of what the uncertainty might be in that calculation.

9 And there is my name on the bottom, and  
10 there is my e-mail if you want to send me any questions  
11 after this. Okay. Go to the next one now.

12 All right. Here's a graph I took from a  
13 compilation that was actually done after the Presidio  
14 risk-based cleanup values were developed, and this came  
15 from the EPA's -- what's called the ecological soil  
16 screening levels for selenium.

17 EPA has a set of documents, one for each  
18 contaminate -- and they have only about I think 16 done  
19 so far -- that goes through all the toxicity information

20 available and develops a -- does a similar kind of thing  
21 to what was done at the Presidio with different  
22 receptors, different exposures, and then looks at  
23 toxicity values that are going to be used to determine  
24 what a safe level might be across all this data.

25 And across the bottom here, which you can

0023  
1 see, are the different adverse effects that are in the  
2 data that's available. This is a biochemical effect, so  
3 some change in some blood parameter or some change in  
4 the tissue parameter.

5 This is -- I can't tell what that one is.  
6 This is a physiological adverse effect, so it might be  
7 some change in respiration. Oh, this is pathology here  
8 in this group. This is a reproductive effect, so the  
9 number of organisms that are produced in each  
10 (inaudible). These are all birds, by the way.

11 This is a growth effect, how rapidly a chick  
12 might gain weight, how large it might be as an adult. A  
13 whole range of different birth effects are in here.

14 If you look at the Eco-SSL document, you'll  
15 see a table at the bottom of this that lists all sorts  
16 of abbreviations with many, many different adverse  
17 effects that are grouped into these.

18 And then these are mortality effects, or if  
19 you're a glass-half-full type of person, you might call  
20 it survival. So those organisms, a certain percentage  
21 die over a certain period of time.

22 And the other thing that you want to look at  
23 in here -- so here are a group of different types of  
24 adverse effects. The other thing you want to look at in  
25 here is the open circles are lowest observed adverse

0024  
1 effect, and the solid circles are no observed adverse  
2 effects. So those are the two groups we were talking  
3 about in the Presidio document. You have a 0.2  
4 milligrams per kilogram that was below the detection  
5 limit and a 2 milligrams per kilogram. All right.  
6 So what you want to look at -- the 2  
7 milligrams per kilogram in the Presidio document is  
8 based on a lowest observable adverse effect level dose  
9 of 1.32 milligrams of selenium per kilogram body weight  
10 per day.

11 And this is 1. So 1. -- this would be 2  
12 since this is logarithmic. So 1.3 is right about here.  
13 If you drive that line all the way across there, that's  
14 where the Presidio toxicity value would be that was used  
15 to develop that 2 milligrams per kilogram.

16 The first thing you want to look at is that  
17 1.32, right, is right about in the middle of the group.  
18 It's got about half above and half below. It's also got  
19 no observable adverse effect levels above it. It's got  
20 solid dots above it.

21 So even though it's based on the lowest  
22 observable adverse effect level -- right, right about  
23 here -- it's still got no observable adverse doses above  
24 it. So it's not an extreme. It's protective.

25 By "protective" what I mean is it's in the

0025  
1 middle range of both the no observable effect level data  
2 and the lowest observable effect level data.

3 Can we go to the next one. And what I have  
4 done here is to try to give you an idea of where that



value actually falls, what the distribution is in those different adverse effect categories.

On the top is how that value is calculated. So that 2 milligrams per kilogram value is calculated as a hazard quotient of 1. The toxicity value is TBV right there, which is the 1.32 milligrams per kilogram, and the body weight of the robin, which we'll get to in a minute. It's about 85 grams.

And that's all divided by intake from soil or sediment, the intake from food, and any intake from dermal. Usually in eco-risk assessments we don't do dermal, unless it's a very specific kind of receptor we're looking at.

And here's the 1.32 that I mentioned that comes from the Presidio 2002 value, the Table 5-6. Here are all those adverse effect groupings that we just looked at on the previous chart. So we've got biochemical, behavioral -- that's the one I couldn't read -- physiology, pathology, reproduction, growth, survival.

If you take that 1.32 milligrams per kilogram day -- the dose that was used to develop the 2 milligrams per kilogram of selenium -- this is where it falls. Here's the range for this adverse effect level: 0.11 to 8.46 milligrams per kilogram day. And you can see that the 1.32 is right in the middle of all these groups.

Here's where it would fall if you ranked them. So it would be 13th out of 21, biochemical. It would be 4th out of 9 in the duck behavioral. It would be 4th out of 8, so in the middle of physiology. And you can see where the rest are. And that's just a different way to look at the data that I showed you in the graph before.

So the whole take-home message from here is that the 1.32 milligrams per kilogram day toxicity value that was used to develop the 2 milligrams per kilogram is in the mid range. The same thing I said before on the other graph.

Okay. The next one. One of the factors that enters into this calculation -- again, the intake calculation on the top. The hazard quotient is set to 1. This is the toxicity benchmark value, the 1.32 milligrams per kilogram day. And then you've got the body weight and the intake from all those (inaudible).

The intake for sediment and soil is based on

the dietary ingestion rate; that's how many grams that the robin takes in a day in food, times a fraction of that soil and sediment. The dietary ingestion rate is in kilograms per day, if you're interested in that. And the fraction that's in soil and sediment is some fraction like 0.1, 0.2, (inaudible).

The same -- you are going to see this equation at the top on all of these that we talk about intake. This is the second slide that we've talked about intake. In this case, as I mentioned, the robin was modeled as 100 percent invertebrates. That actually -- we're not going to talk about that here -- is not the case with robins, but it makes it the worse-case scenario for takeup of selenium into the invertebrates.

16 So we used 100 percent. 100 percent was  
17 used in that calculation. Actually, if you look at what  
18 a robin does -- this is just your life history event,  
19 okay, life history education.

20 Actually, preceding breeding, they eat about  
21 90 percent invertebrates and 10 percent fruit. The  
22 remainder of the year they actually eat a whole lot of  
23 fruit and not a lot of invertebrates. The importance of  
24 that is the uptake in fruits is a lot less than is into  
25 invertebrates, so they actually gain less than if they

0028 fed on invertebrates the whole time.

2 The bioaccumulation fraction in the  
3 invertebrates that was used in that calculation of 2  
4 milligrams per kilogram is actually 0.985; that's in  
5 Table 5-11. And if you use the commonly accepted  
6 current EPA regression to estimate what it would be for  
7 the uptake factor, it would be at 2 milligrams per  
8 kilogram. Since it's a regression, it's actually 0.433  
9 milligrams per kilogram.

10 So what was used in the Presidio calculation  
11 was 0.985. That means if the soil concentration were 1,  
12 the concentration in invertebrates would be 0.985, and  
13 that would enter into the intake calculation. Actually,  
14 the most current method to calculate what would be in  
15 invertebrates, it would actually be about half of that.

16 So the number is actually -- if you went  
17 with the current estimate for invertebrate concentration  
18 in the tissues, it would be about half of what was  
19 modeled in the Presidio numbers.

20 Next, please. You're going to get tired of  
21 looking at this intake calculation. Okay. The other  
22 thing you can enter into this calculation is the body  
23 weight. And the reason the body weight is important is  
24 because the body weight is used to estimate what the  
25 food intake would be. Bigger birds eat far more food,

0029 and there's a regression that's used. So the body  
2 weight that was actually used was 85 grams; 0.085  
3 kilograms, if you like that.

4 In the Wildlife Factors Handbook, the EPA is  
5 sort of viable from ecological risk assessment. The  
6 range for a robin is 63.5 to 103, and this 85 is just  
7 about the median. Here's some other references that I  
8 took out of references from the literature in this case  
9 and in this case. And in these two, they were actually  
10 taken from the Wildlife Factors Handbook.

11 But you can see that 85 is about where you  
12 would expect it to be. So the 85 value that was used in  
13 the Presidio calculations is an average term, it's not  
14 an out-of-bound term, it's not way out of whack, it's  
15 not something you would -- that would cause the  
16 calculation to be not protective.

17 Next, please. And this is just the  
18 reference, if you want to go look it up. This is the  
19 regression for the food intake.

20 So you take the 85 grams for the robin, you  
21 run it through a regression calculation, and this  
22 reference lists all the different calculations for  
23 different types of organisms and different types of  
24 birds.

25 If it's an invert, you can borrow this

1 regression for that. If it's a hawk, there's a  
2 regression for that. If it's a dove (inaudible) feeding  
3 on seeds on the ground, there's a regression for that.  
4 But I checked the regression; it's the same one  
5 everybody uses.

6 And we can go to the next one. And one of  
7 the other factors the end revealed was how much soil a  
8 robin eats. The number that was used in the calculation  
9 was about 10 percent. That was taken from a reference  
10 to the American woodcock, which has a similar type of  
11 diet. It feeds on a lot of invertebrates.

12 So 10 percent was the value that was used  
13 for the American Robin calculation. That's the value  
14 that we used -- and every eco-risk assessment that I've  
15 ever seen uses the American Robin in North America. So  
16 that value again -- the take-home message is it's in the  
17 ballpark.

18 Here's some other values just in case you're  
19 interested. The Peregrine Falcon is just 2 percent --  
20 2.8 percent. The Mallard duck is 3.3 percent. And for  
21 your Western Sandpiper, a quarter of the amount of food  
22 that you take in, you take an additional quarter weight  
23 instead. So they're probing in the sand, feeding, and  
24 they get a lot of sediment in their diet.

25 That's important because it contributes,

0031 1 obviously, to the total intake, because the food intake  
2 is based on caloric necessity. So you run the  
3 regression based on body weight. That's the amount of  
4 calories the animal needs to live. Then added on top of  
5 that is the soil of intake that it gets and (inaudible).

6 We can go to the next one. These are things  
7 that aren't reached in the Presidio document that could  
8 have an impact on whether or not that 2 milligrams per  
9 kilogram would be protective or not. One is the  
10 bioavailability of selenium in the soil versus the  
11 bioavailability in the toxicity test that was used to  
12 develop the toxicity referent value.

13 You saw that EPA, Eco-SSL whole chart of all  
14 those individual experiments. All those were run with  
15 some form of selenium. Usually, it's a very soluble  
16 form of selenium that's used in those experiments so the  
17 animal gets a fairly large dose and in -- usually in  
18 water or sometimes in food. Sometimes it's an  
19 objective. Sometimes it's (inaudible).

20 THE REPORTER: I'm sorry. Sometimes . . .  
21 JIM POLISINI: Okay. Let's just skip that.  
22 Skip gavage, G-A-V-A-G-E. But at different amounts of  
23 exposure. And the important point here is that the  
24 solubility or availability in the selenium in the  
25 experiment is most likely a lot higher than what the

0032 1 availability of the selenium in the soil is that's out  
2 there.

3 The other thing is the size of the home  
4 range. How often is that robin going to be in the area  
5 of Fill Area 1 of Landfill 2. Did I get that right?

6 EILEEN FANELLI: Fill Site 1, Landfill 2.

7 JIM POLISINI: Fill Site 1, Landfill 2,  
8 okay. And here's an idea of some of that. The home  
9 ranges of robins: 0.3 to 0.5 acres in New York, about an  
10 acre in Wisconsin, and two acres in Tennessee. This is  
11 just to give you an idea that, you know, by the time you

12 get to two acres, you're about at the areas of home  
13 range of the size of some of these sites. So that means  
14 that a pair of robins -- one robin is going to -- that's  
15 his whole homage even if the habitat is perfect.

16 And this -- I just wanted to show this  
17 because it gives you a little larger picture of what the  
18 habitat might look like for a robin around the areas.  
19 Here's Landfill 2. Here's Fill Site 2. You can see  
20 there's other -- the kind of habitat that an American  
21 Robin likes in San Francisco is associated grasslands  
22 associated with mid-height shrubs with a little bit of  
23 higher trees.

24 And you can see that there's a lot of  
25 significant habitat around these sites. It's not a

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1 situation where the only significant habitat for the  
2 American Robin (inaudible).

3 So let's go to the summary. Here's some of  
4 the things that I looked at. The toxicity base value is  
5 the LOAEL value that was used for the 2 milligrams per  
6 kilogram -- as I showed you in that Eco-SSL table or  
7 graph -- is in the middle. There are still toxicity  
8 experiments that show no effect above the 1.32  
9 milligrams per kilogram, so that would indicate it's a  
10 protective value.

11 The body weight is an average of what we  
12 would always use for an America Robin North America, so  
13 that really has no affect on whether or not it's  
14 protective. It's in the middle. It's not being  
15 unprotected.

16 The dietary ingestion rate is done with the  
17 same method of calculations that we use for all the  
18 other eco-risk assessments of regression to develop  
19 (inaudible) the intake based on body weight of the  
20 organism. (Inaudible).

21 So based on that in answer to the RAP's  
22 question, I would say that the value that was developed,  
23 this 2 milligrams per kilogram, is not out of the  
24 ordinary of what you would expect. In fact, I believe  
25 that it would be protective. So I think that was the

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1 question I was to answer. Any questions, you have my  
2 e-mail or you can see me afterwards. Thank you.

3 FACILITATOR PERRY: We'll open it up to  
4 questions now. I ask that you speak loudly so that you  
5 can be recorded. And if you would give your name and  
6 spell it so that we have the correct spelling of your  
7 name on the record. So with that, if you have any  
8 questions for any of the presenters, let's open that up  
9 now.

10 Please come up. You can use the microphone  
11 or if you can speak loudly to be heard.

12 NANCY GRAALMAN: My name is Nancy --

13 THE REPORTER: I'm sorry. I can't hear you.  
14 Can you come closer or use the microphone. Thank you.

15 NANCY GRAALMAN: Nancy Graalman --

16 THE REPORTER: I mean over here. I cannot  
17 hear you.

18 NANCY GRAALMAN: G-R-A-A-L-M-A-N. I'm a  
19 resident of the Presidio. Actually, I talked to --

20 EILEEN FANELLI: Yes. I talked to you on  
21 the phone.

22 NANCY GRAALMAN: Yeah. I just want to ask

23 again, because I don't understand the process. Because  
24 we received a letter on October 23rd from Public Affairs  
25 describing what was going to go on that -- you know,

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1 that there wasn't actually a public comment period. And  
2 actually, I'm even a little bit more shocked now with  
3 the idea that there's going to be up to 6,000 trucks.  
4 You know, kind of -- I live on Liggett. You  
5 know, coming by Presidio Boulevard and down West Pacific  
6 over a six-month period, I -- it seems to me that there  
7 actually is like -- as a Presidio resident, you know,  
8 there should be a higher alert or ability to comment.  
9 That should have been made.

10 But in backing up, I still don't understand  
11 if Public Affairs says it's a done deal, what is the  
12 public comment period about?

13 EILEEN FANELLI: On the alternatives.

14 NANCY GRAALMAN: I mean I guess I don't know  
15 bureaucracy.

16 DENISE TSUJI: Tonight's meeting to take the  
17 public comments is the Department's obligation to the  
18 public. I don't know what publication you're talking  
19 about as far as the October 23rd --

20 NANCY GRAALMAN: It's a letter from Public  
21 Affairs to residents in the southeast housing or east  
22 houses about what to expect.

23 DENISE TSUJI: Okay. It's a publication  
24 from the Presidio Trust --

25 NANCY GRAALMAN: A letter.

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1 DENISE TSUJI: A letter?

2 NUALA SHEETZ: A very, very, slim -- not  
3 very informative letter about what to expect.

4 DENISE TSUJI: But that's from the Trust.  
5 Tonight's meeting is for the Department of Toxics to  
6 hear from the public, your comments and questions.  
7 We'll answer what questions we can, but we don't have  
8 the entire team here, so we may not be able to. And if  
9 we are unable to, we will then do the -- do it in  
10 writing via the written responses.

11 NUALA SHEETZ: Who are the Department of  
12 Toxins?

13 DENISE TSUJI: The Department of Toxic  
14 Substances Control is the state agency that is  
15 overseeing and approving of this cleanup, so the  
16 Presidio cannot start the cleanup unless we approve the  
17 plan that we're talking about tonight.

18 NUALA SHEETZ: California?

19 DENISE TSUJI: Yeah, the State of  
20 California --

21 NUALA SHEETZ: Even though it's federal  
22 property?

23 DENISE TSUJI: Yes.

24 NUALA SHEETZ: So -- okay. Do they have to  
25 listen?

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1 DENISE TSUJI: Yes.

2 NUALA SHEETZ: Okay.

3 EILEEN FANELLI: The state has been  
4 delegated authority by the EPA on a federal level, so it  
5 is in essence the regulatory body or federal agency here  
6 in California for us.

7 NUALA SHEETZ: You wanted us to say our

names. My name is Nuala Sheetz, S-H-E-E-T-Z.

THE REPORTER: How do you spell your first name?

NUALA SHEETZ: Z like zebra.

THE REPORTER: No. How do you spell your first name?

NUALA SHEETZ: N, like Nancy, U-A-L-A.

I live on MacArthur, and I live like spitting distance from El Polin Springs, so this has a very personal effect on me and my family.

Is this meeting just to explain the toxicity, or is it to also address things like traffic safety of the roads during this time?

DENISE TSUJI: Everything. Any concerns that you may have or any questions you have regarding what will occur as a result of this cleanup.

NUALA SHEETZ: Okay. Well, number one, you're talking about drilling wells and testing for

water quality of El Polin Springs. What about the water quality of the housing? Because we have 20 percent coming from the Presidio. How might this affect groundwater? Is it mountain, lake, or -- I'm not exactly sure.

ANDREA ANDERSON: Andrea Anderson from the Presidio Trust. The water supply at the Presidio does not come from groundwater. The water supply at the Presidio, about 70 to 80 percent comes instead from Lobos Creek, and the rest of the water supply to make up that difference comes actually from the city and county of San Francisco.

NUALA SHEETZ: I thought it was reversed.

ANDREA ANDERSON: No.

NUALA SHEETZ: We were told it was 80 percent coming from the city and 20 percent from Lobos Creek.

ANDREA ANDERSON: Oh, no. It's the other way around. In fact --

NUALA SHEETZ: That's not what I --

THE REPORTER: One at a time, please.

ANDREA ANDERSON: Every single year you get a water quality statement --

NUALA SHEETZ: Yup.

ANDREA ANDERSON: -- and that's what it

states in the water quality statement.

NUALA SHEETZ: No. I read it very carefully every year. I'm very concerned about it. It says the opposite.

ANDREA ANDERSON: Well --

DENISE TSUJI: What we will do is the Department will research it and include it in our response to your questions. If you want to leave your e-mail or your phone number, we can --

NUALA SHEETZ: Well, when you say it's not the groundwater, then what exactly is it? It's creek -- Lobos Creek sounds like surface water.

ANDREA ANDERSON: It is a surface water source.

EILEEN FANELLI: Right.

NUALA SHEETZ: Meaning there's even more of a possibility for contamination.

EILEEN FANELLI: But not from this area of

19 the Presidio. Lobos Creek is located over by Baker  
20 Beach.

21 NUALA SHEETZ: Okay.

22 EILEEN FANELLI: And we can certainly get  
23 you a lot more information. We operate the water  
24 treatment plant there, and the distribution system is  
25 operated under a whole separate set of regulatory

0040  
1 authorities and testing requirements. I'd be more than  
2 happy to get you connected with the people there.

3 NUALA SHEETZ: I have no more questions.

4 DENISE TSUJI: I'm going to go back to our  
5 first commenter.

6 Did we answer your question?

7 NANCY GRAALMAN: No. Nancy Graalman, again.  
8 She called me on a Saturday. But the thing  
9 that I don't understand is why -- whether it's just --  
10 this is just an exercise in bureaucracy or if there  
11 really is a fair comment.

12 For instance, I know that people around the  
13 east housing when they realize there's going to be 6,000  
14 trucks loaded with selenium, containing dirt, flying  
15 around for six months that that will -- that's going to  
16 create a concern, especially down by JK park.

17 I just can't believe -- I mean how -- so you  
18 say there's a secondary access by West Pacific?

19 EILEEN FANELLI: Right.

20 NANCY GRAALMAN: Who will control that? The  
21 contractor on that morning? Who's going to decide --

22 THE REPORTER: One at a time, please.

23 EILEEN FANELLI: Absolutely not. There  
24 would be notification to the residents.

25 So let me back up. I understand that the

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1 letter from Public Affairs is less than satisfying; so  
2 that is certainly an issue, and we'll take that back to  
3 Public Affairs and try to understand so that we  
4 communicate with you better in the future. But the --  
5 so with that said, the remedy is not decided on.

6 One of the alternatives that we had up on  
7 the screen was capping in place. If we did that, for  
8 example, there would be no truck traffic bringing the  
9 waste out, but there would be some truck traffic  
10 bringing cover materials in.

11 That is an alternative that was looked at.  
12 It was not proposed, because although the truck traffic  
13 is an impact to the neighbors, we felt that we have  
14 mitigated those impacts by directing the traffic into a  
15 direction that is not on residential streets.

16 And by covering our loads and doing dust  
17 control, we minimize that impact. And we would have the  
18 benefit of removing the waste for a long-term solution  
19 that took it completely out of the park, so that we  
20 weren't capping it and then managing that material in  
21 place.

22 So that's the proposal, but it is open to  
23 public comment. So if you have any additional comments  
24 or concerns, they will be answered tonight about that.  
25 But you can certainly follow up with written comments or

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1 e-mail comments. The last slide has --

2 NANCY GRAALMAN: So the bottom line is that  
3 Public Affairs could have said: The preferred

alternative being investigated is such and such.

EILEEN FANELLI: That's exactly --

NANCY GRAALMAN: Because as I said, when people hear about 6,000 trucks, I just think it's --

EILEEN FANELLI: But it's --

THE REPORTER: One at a time.

NANCY GRAALMAN: It is a lifestyle change. It may be easy for you all. I just -- Presidio Boulevard. It just seems remarkable to me that there isn't more clarity with the residents.

FACILITATOR PERRY: Yes, ma'am.

SARA SEGAL: Hi. Sara (inaudible).

THE REPORTER: I'm sorry. You need to speak up.

SARA SEGAL: Segal, S-E-G-A-L. Sara is the first name. No H.

I just wanted to say I thank you for having the public meeting, but I just want to put in the record that the RAB, Restoration Advisory Board -- which is the community member group who works with the Trust and the park service.

We have a regular meeting the second Tuesday

of every month, and we've had them that way for like 15 years or longer. So I just wish -- and this is for the record. I just wish that this meeting would have been held at the same time the RAB meeting is held, which is what traditionally has happened, so there's no -- so that the RAB members are all there, and the RAB meetings are always open to the public. So I just wanted to --

FACILITATOR PERRY: Well, let me address that for a moment. We do not hold our meetings during RAB meetings, and we do that because there are -- sometimes when we do hold meetings or when we have in the past, people on the RAB have an agenda and they have stuff that they need to get through. When we take up that time during their meeting, then I catch it from them too because, "Well, this is our time. We do it every month," et cetera. So we always hold it.

The RAP meetings that we have had here in the past have also been on a day other than the RAB's. And it's advertised in the paper, and we have -- I forget how big the mailing list is for this site, but we mail out to the residents the fact sheets, the proposed plans, and the announcements for the meeting so that we do have the opportunity to take your public comments on the record.

SARA SEGAL: I understand your point of

view. I just -- that's not what my understanding was, and I just thought, you know --

FACILITATOR PERRY: But we don't do it during RAB meetings and --

THE REPORTER: Wait. One at a time.

FACILITATOR PERRY: The object is to get as much public comment period -- or public comments as we can during the open period whether it be tonight or written or through some other source. During that period, we take the comments in. And then, as I said, at the beginning we do a response to commence document, and we submit that to you for your review.

You have our ears here tonight, and we will do what we can to answer your questions. If not, like I



15 said before, if you sign in, we can get you the response  
16 to comments document with a full and complete response  
17 to your questions.

18 Are there other questions, comments? Yes,  
19 sir.

20 CRAIG KENKEL: Hi. Craig Kenkel,  
21 K-E-N-K-E-L. I'm currently the acting deputy  
22 superintendent at Golden Gate National Recreation Area.  
23 And the National Park Services and Recreation Area  
24 typically advocates permanent solutions for our park  
25 resources. In this case, we are very thankful and

0045  
1 pleased with the Presidio Trust for looking for  
2 permanent remedies for these landfill sites.

3 We support the proposed remedies for the  
4 removal of the contaminated fill materials, leaving the  
5 site as clean closures. That's exactly what we would  
6 do. And we also support no further action for  
7 (inaudible).

8 THE REPORTER: No further action for -- I'm  
9 sorry.

10 CRAIG KENKEL: The spring, El Polin Springs.  
11 We are asking that the Trust also -- we encourage the  
12 Trust, and we ask them also to prepare a restoration  
13 plan for the two landfills.

14 I do notice that as part of your  
15 presentation it says that the sites will be re-grade and  
16 the roads will be maintained. The sites will be left in  
17 a state for future restorations, so we would like to see  
18 ideas for that.

19 And finally, we do encourage that the Trust  
20 do continue working with the State Department as well as  
21 with the commentators here tonight as well as anyone  
22 else to further refine the details for these remedies  
23 and for how they will be implemented so that the best  
24 results are achieved for the Presidio and for the  
25 recreation area. Thank you.

0046  
1 FACILITATOR PERRY: Anybody else? Yes.

2 DOUG KERN: Hello. My name is Doug Kern,  
3 K-E-R-N. I'm a member of the Presidio Restoration  
4 Advisory Board, as Sara is, and have been since 1994.

5 I want to thank the Department for holding  
6 the meeting. I particularly want to thank Jim for his  
7 comments on selenium and that extra work. I really feel  
8 that there was a large amount of technical data that he  
9 presented tonight.

10 To really respond to that, I would like to  
11 request a 30-day extension to review his response to our  
12 question. So I would like to make that request formally  
13 to the Department that we would have 30 days additional,  
14 given that there's only about nine days left in the  
15 comment period.

16 I would also like to see if we could request  
17 some paper or something to review those comments that  
18 you provided.

19 I'm not here speaking for the Restoration  
20 Advisory Board. We are having our official meeting  
21 tomorrow night, and really quite the contrary, we have  
22 over the past 16 years coordinated with the Trust -- and  
23 even with the Army before that -- to hold our RAB  
24 meetings and public comment meetings on the same night  
25 so community members would not have to come out two

0047

1 nights in a row. And that's why you don't see a lot of  
2 the RAB members here tonight.

3 So they'll be making public comments  
4 tomorrow night at a portion of our RAB meeting. And the  
5 RAB will -- some of the RAB members will contribute  
6 written comments, and there will be, you know,  
7 additional oral comments tomorrow.

8 The RAB -- not speaking for the RAB, but I  
9 would also like to add my voice that we are appreciative  
10 of the clean closure remedies. I want to reach out to  
11 the community members that are here and invite you to  
12 the RAB meeting tomorrow. So it's in this location, and  
13 they're monthly, the second Tuesday.

14 I think your comments are important. And  
15 the way those -- the truck traffic as designed is a very  
16 important comment, and we always have comments on truck  
17 traffic. So it's a very important comment to make.

18 I want to say that I have several comments  
19 that need to be put into the record, and I have a lot of  
20 detailed technical comments. While we support the  
21 general idea of clean closure, there are some caveats  
22 that are very important with these remedies that are  
23 proposed.

24 Number one: The risk assessments that were  
25 mentioned for the site-specific areas; those risk

0048

1 assessments are flawed. And they're fundamentally  
2 flawed in scientific and technical ways, which we'll  
3 provide in our technical written comments.

4 The selenium standard is being proposed to  
5 be relaxed or weakened from 0.5 to 2.0. That should not  
6 be done lightly. It should not be done in a way that is  
7 just done because it happens to cause less cleanup to be  
8 done, which is really the only reason that I can see. I  
9 don't see a good reason for relaxing the cleanup  
10 standard for selenium, but I do want to spend some time  
11 with Jim's response.

12 I think the waste, particularly at Fill Site  
13 1, has not been fully characterized. We made comments  
14 previously that waste to the west at depth is not  
15 characterized. Also, the deep landfill waste is  
16 undercharacterized.

17 The documents suggest that selenium and  
18 other contaminants are not associated with Army disposal  
19 practices and activities. Some of it is not associated.  
20 It's very difficult to understand why or how anyone  
21 could tell that.

22 I would suggest that -- because there is an  
23 incinerator at Landfill 2, which is still there to this  
24 day -- that a lot of the contamination can easily be  
25 explained by an incinerator burning waste for many

0049

1 years, and then the ash being disposed of at the site.  
2 We will provide more written comments on that.

3 I think you may have noticed that on one of  
4 the slides it indicated that at Fill Site 1 there was a  
5 line of excavation. We're recommending that all of the  
6 waste even outside of that line be excavated as well;  
7 that that arbitrary line should not stop the waste from  
8 being excavated, but it should continue outwards beyond  
9 that line so we clean up the Presidio as a national park  
10 should be.

11 There should be three-dimensional sampling  
12 of the site if any fill is to be left in place that is  
13 now considered clean, even though it's  
14 undercharacterized. It should be fully characterized if  
15 anything is to be left in place.

16 We recommend that groundwater be sampled for  
17 three years rather than the one year that is proposed.  
18 All the other sites at the Presidio have three years of  
19 groundwater sampling. There's no reason to reduce it  
20 now for these sites.

21 We do recommend that the Department would be  
22 well served to see a full erosion plan prior to allowing  
23 this remedy to go forward. We recommend that that plan  
24 be shown in detail prior to approval of the remedy given  
25 what has happened at Landfill 8 and 10.

0050

1 In coordination with that, we suggest that a  
2 full and detailed restoration plan be presented to the  
3 regulators, the water board, and the public so that we  
4 can know how the creek will be reestablished, because  
5 there is a full-running creek running under Landfill 2  
6 and adjacent to Fill Site 1.

7 There very well may be springs under Fill  
8 Site 1, and we need to know what the plans are rather  
9 than just dig it up and let things happen. We need to  
10 see a detailed restoration plan.

11 I particularly want to investigate the  
12 solubility of selenium. That was one point that I  
13 picked up from Jim associated with the site. I think  
14 it's important. If we don't really know, we should  
15 know.

16 Again, I want to recommend quite strongly  
17 that we not relax the selenium standards from 0.5 to  
18 2.0.

19 Thanks, very much.

20 FACILITATOR PERRY: Do we have any other  
21 comments? Any other questions? Okay.

22 Well, I thank you for your time. We will  
23 put together a Response to Comments document. If you  
24 have anything else that you want to give to us, please  
25 contact either the Trust or the Department, and we will

0051

1 try to give you a full and complete response.

2 Yes, ma'am.

3 NUALA SHEETZ: (Inaudible).

4 THE REPORTER: Can you please speak up.

5 FACILITATOR PERRY: Wait, I can't hear you.

6 NUALA SHEETZ: I'm sorry. Nuala Sheetz.

7 You have my name.

8 Their broad knowledge makes me feel a little  
9 silly, because I don't really know anything about this  
10 except that they're digging a big hole behind my house.

11 But the Draft RAP has a secondary route, but  
12 that's not really clear what it means by "secondary."  
13 Is that an emergency route, or is that going to be used  
14 extensively?

15 EILEEN FANELLI: It's not to be used  
16 extensively. The primary route is the primary route.  
17 It would be -- if there was an instance where, for  
18 example, it was more efficient or easier or safer to get  
19 a piece of equipment in on West Pacific or out on West  
20 Pacific.

21 And it is not planned to be used at this

time; however, the impact of using that was evaluated in the initial study with CEQA so that if we have to, the analysis has been completed. But the plan is not to use it at this time.

NUALA SHEETZ: It basically goes right by Julius Kahn where --  
EILEEN FANELLI: It does.  
NUALA SHEETZ: -- us minivans full of kids go.

EILEEN FANELLI: That's right, and that is why it is the secondary route and not the primary route. If it was ever used -- if you look at the evaluation in the CEQA documents -- there are significant requirements for flagging and signage and speeds, et cetera, to be protective of citizens and pedestrians in particular.

NUALA SHEETZ: Well, I mean -- and then there are huge speed bumps. If you're talking about a truckload full of dangerous chemicals going (indicating), that starts to be a concern. I mean are these really going to be sealed and nothing's coming out?

EILEEN FANELLI: Right. All the material coming off site is solid, so it's not a liquid waste.

NUALA SHEETZ: Or dust?

EILEEN FANELLI: And they will have requirements in all of our specs so that all loads containing waste are tarped, so they would be covered before they exit the sites.

NUALA SHEETZ: On that, you said before

about something about sampling the water quality, but what about the air quality? Did I miss that? Is that going to be periodically tested?

EILEEN FANELLI: There is. There is a dust monitoring provision that's outlined and discussed in the CEQA initial study as well. And we are -- we have requirements about any amount of dust, and we also have -- we always set up dust monitoring stations that monitor conditions pre and during the actual construction activity.

NANCY GRAALMAN: What is the size of the typical trucks you're talking about; semis or short haul, long haul?

EILEEN FANELLI: There will probably be a mixture of trucks, and some of those decisions are generally made by the contractor.

We anticipate while they're working on the site and moving along Quarry Trail, that they'll be using smaller trucks. We call them ten-yard trucks. Smaller dump trucks. They will transfer to the larger trucks at Pop Hicks Field, and that's where they'll be using the bigger trucks that you might be used to seeing. They're about 18-yard trucks that are bigger. Those are covered and taken off site.

But there will be no trucks on the

residential Streets, so you will never see a truck on MacArthur or on Liggett or Portola or any of those streets. They will be on Barnard Avenue going out to Presidio Boulevard to exit the Presidio.

NANCY GRAALMAN: (Inaudible).

THE REPORTER: I'm sorry?

7 NANCY GRAALMAN: And what about running into  
8 Doyle Drive construction? What will -- is there  
9 coordination with --

10 EILEEN FANELLI: There is definitely  
11 coordination ongoing between the trucks in our projects  
12 and Doyle Drive. And that's a good question, and I --  
13 you know, I'm not the actual project manager on a  
14 day-to-day basis, but we would -- there are  
15 intersections where there's a lot of traffic generated.  
16 There are additional controls, additional flagging and  
17 types of activities like that.

18 FACILITATOR PERRY: Yes, sir.

19 STEWART WHITE: Stewart White, W-H-I-T-E.

20 So if this is not delayed right now and if  
21 you're talking a time line of this summer and the fall  
22 as when you are going to be doing all the excavation,  
23 does it mean that until next spring it will be -- the  
24 rest of that fill will be looking like the hill above El  
25 Polin Springs with just the hay or the -- whatever it is

0055 holding the soil down?

2 And then does that mean in the springtime is  
3 when you are going to start replanting and doing  
4 whatever -- you know, reforesting or whatever you were  
5 doing with the planting? Is that going to happen in the  
6 spring, I guess, in 2011?

7 EILEEN FANELLI: Most planting actually  
8 occurs in the fall to take advantage of the winter  
9 rains. And your question on schedule is a good one. A  
10 lot will depend on whether the RAP is actually approved,  
11 because that is our signal -- as Denise said -- to move  
12 ahead and do the work.

13 We would very much -- the Trust would very  
14 much like to get the RAP approved so that we can get the  
15 bulk of the waste removed this season, so this summer.  
16 And yes, there would be some winterization. If it  
17 was -- if we got enough done, we would plant in the  
18 fall. You would have small plants, but the site would  
19 basically be completed and the vegetation beginning to  
20 grow.

21 There is the possibility that we would do  
22 two seasons of construction. So we would do the waste  
23 excavation this season in the time that we have. We  
24 would winterize, so protect the site from erosion  
25 throughout the winter. And we would do the final kind

0056 of grading and planting the following construction  
1 season.

2 So you probably will see activity over two  
3 construction seasons, but a lot will depend on when  
4 approvals come through.

5 NANCY GRAALMAN: One last thing. Was this  
6 supposed to be ready in December? Was that the thing?  
7 Has it been delayed already?

8 EILEEN FANELLI: It took us a little bit  
9 longer to get the RAP out than we had originally  
10 planned.

11 FACILITATOR PERRY: Any other comments,  
12 questions? If there aren't any more questions or  
13 comments, I'm going to close the record for this  
14 evening. We will be responding to your question in our  
15 document. I'll look for any other comments to come in  
16 to Eileen, myself, or Denise in the next few weeks or  
17

so, and I thank you for your time this evening. That's  
it. Thank you.

(Whereupon, the Draft Remedial Action Plan public  
hearing was concluded at 7:32 p.m.)

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STATE OF CALIFORNIA )  
COUNTY OF SAN FRANCISCO )

I, the undersigned, hereby certify that the  
discussion in the foregoing hearing was taken at the  
time and place therein stated; that the foregoing is a  
full, true and complete record of said matter.

I further certify that I am not of counsel or  
attorney for either or any of the parties in the  
foregoing hearing and caption named, or in any way  
interested in the outcome of the cause named in said  
action.

IN WITNESS WHEREOF, I have  
hereunto set my hand this  
22nd day of April, 2010.

AUDREY L. TAKATO CSR No. 13288

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, APRIL 13, 2010

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

♀

1 ATTENDEES  
2 RAB Members:  
3 Doug Kern, Facilitator  
4 Mark Youngkin  
5 Eileen Fanelli  
6 Terri Thomas  
7 Agnes Farres  
8 Peter O'Hara  
9 Jan Blum  
10 Julian Hultgren  
11 Sara Segal  
12 Sam Berman  
13 Jan Monaghan  
14 John Budroe  
15 Edward Callanan  
16 John Chester  
17 Barbara Newton  
18 Toni Kramer  
19 Jim Ketcham  
20 Jerry Dodson  
21  
22  
23  
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BE IT REMEMBERED that, pursuant to Notice of  
the Meeting, and on April 13, 2010, at the Officer's  
Club, Building 50, Presidio of San Francisco, California,  
before me, MARK I. BRICKMAN, CSR No. 5527, State of  
California, there commenced a RAB meeting under the  
provisions of the Presidio Trust.

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4	2) Agenda Discussion and Approval	4
5	3) Announcements and Old Business	5
6	4) Committee Business & Reports	5
7	5) Reports & Discussions	
8	A. Landfill 10/Landfill 8 Status	9
9	B. Vote on RAP5 Comment Letter	20
10	6) Regulatory Agency Status Updates/Inputs	
11	A. Agnes Farres, California RWQCB - None	
12	B. Department of Toxic Substances Control - Absent	
13	7) New Business	
14	A. Vote on Jerry Dodsosn candidacy	5
15	B. Craig Middleton note on meeting format - Skipped	
16	8) Public Comment - None	
17	9) Review of Action Items - Skipped	
18	10) Agenda Items - Skipped	
19	11) Adjournment	85
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1 FACILITATOR KERN: Welcome, everyone.  
2 Welcome to the regular meeting for the Presidio  
3 Restoration Advisory Board for April 2010. I'd like to  
4 welcome the Presidio Trust and -- I don't see the Park  
5 Service here, but the Water Board and I don't see DTSC  
6 here tonight, but welcome to them if they show up.

7 I would like to just take one moment and  
8 note that it was the second week of April some sixteen  
9 years ago when the RAB had its very first meeting. So  
10 this day we end our 16th year and begin the 17th. So  
11 it's a little bit of an anniversary. Congratulations to  
12 everyone who's shared those memories.

13 All right. Does everyone have an agenda?  
14 I'd like if we might -- with everyone's permission to  
15 move one item and to add an item. The moved item would  
16 be item 7A, Jerry Dodson's candidacy. I'd like to move  
17 that up in the agenda after the announcements and  
18 committee report if there would be no objection to that,  
19 and then I'd like to add an item about a comment letter  
20 or a request to extend the public comment period for  
21 RAP5.

22 So if we can add that to -- perhaps that  
23 would be somewhere in the neighborhood of item 5B or C.  
24 That may get mixed in with the RAP5 comment letter. It's  
25 sort of related.

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1                   Would there be any objections to those  
2           changes?   Is there any other suggested changes tonight?

3                   Very well.   Any announcements?

4                   Any reports?   Let's see.   You weren't here.  
5           Let's see if I can attempt.

6                   It's been three weeks -- so long ago --  
7           since our last meeting.   I'm sure that we were working on  
8           our usual subjects.   So that would be RAP5 and also  
9           reporting on landfill 8 and 10 progress, and so we'll  
10          continue in that vein tonight.

11                   But before we do that, I'd like to again  
12          welcome Jerry Dodson who's here tonight, and for those of  
13          you who don't know him, he has made an application for  
14          community member of the Restoration Advisory Board, and  
15          this might be one more time when we can introduce  
16          ourselves to him and he might say a few words and then we  
17          might decide whether to bring him on.

18                   I'm Doug Kern.   I've been here since April  
19          of 1994 and have facilitated the meetings.   Community  
20          member.   I live in the Richmond District.

21                   MR. O'HARA:   I'm Peter O'Hara.   I, too,  
22          have been here since day one and I live on the other side  
23          of the east wall of the Presidio in Cow Hollow.

24                   MS. FANELLI:   We're going this way.

25                   Eileen Fanelli and I work for the Presidio  
                                  Page 5

♀

1 Trust and I manage the remediation program.

2 MS. THOMAS: Terri Thomas. I'm Director  
3 of Conservation for the Presidio Trust.

4 MS. SEGAL: Sara Segal. I live in Noe  
5 Valley. I'm a retired EPA employee. I've been on the  
6 RAB for not as long as those guys, but a long time.

7 MR. BERMAN: I'm Sam Berman, community  
8 member. Been a member since late 1997, and have watched  
9 the transition from the Army to the Trust and I have a  
10 comment that it's certainly better than it was with the  
11 Army.

12 MR. CHESTER: I'm John Chester. I've been  
13 a RAB member I think two plus years, the last round of  
14 new RAB member people, more or less.

15 I live in the Inner sunset and work for the  
16 San Francisco water -- water supply side of things and am  
17 a frequenter of the Presidio park and interested in the  
18 remedial cleanup.

19 MS. NEWTON: My name is Barbara Newton. I  
20 joined the RAB when John did two plus years ago, I guess.  
21 I don't know. I lose track of time. I live in the Inner  
22 Richmond and I work in the securities industry.

23 MR. BUDROE: John Budroe. Have been on  
24 the RAB for six or seven years now. I'm the token state

25 person.

6

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1 MR. HULTGREN: I'm Julian Hultgren. I'm a  
2 retired attorney. I've been on the RAB -- a community  
3 member of the RAB. I've been on the RAB for a long time  
4 now, but not as long as Peter.

5 MR. DODSON: I'm Jerry Dodson. Nice to  
6 meet everyone here, and my background is in environmental  
7 law policy and I'm a practicing patent attorney and I  
8 live at the end of 18th Avenue near the Presidio.

9 MS. FARRES: Agnes Farres. I'm the Water  
10 Board project manager.

11 MS. MONAGHAN: I'm Jan Monaghan. I guess  
12 I'm an original member number three, and I live in  
13 Pacific Heights and I'm a facilities manager.

14 MS. BLUM: My name is Jan Blum. I'm been  
15 a community member of the RAB since 2002 and I came to  
16 the RAB because of my interest in habitat restoration as  
17 a volunteer in the Presidio and it just grew from there,  
18 and I live in Russian Hill.

19 MR. YOUNGKIN: My name is Mark Youngkin.  
20 I live in Laurel village. I've been a member since '96,  
21 I believe.

22 FACILITATOR KERN: '95.

23 MR. YOUNGKIN: '95/'96. I'm community

24 co-chair and I'm a geologist. I do environmental  
25 consulting.

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1 FACILITATOR KERN: Thanks very much,  
2 everyone, for the round of introductions, and again  
3 thanks, Jerry for your application.

4 Are there any questions for Jerry at this  
5 point out of experience?

6 MR. CHESTER: How did you hear about the  
7 RAB?

8 MR. DODSON: Doug and I were talking about  
9 some issues of the Presidio. He mentioned the committee.  
10 I said I was interested, and we discussed it.

11 MR. CHESTER: All right.

12 FACILITATOR KERN: Any other questions  
13 about his candidacy?

14 I would entertain a motion recommending  
15 that Jerry be accepted to the Restoration Advisory Board  
16 as a community member.

17 MR. BERMAN: I so move.

18 MR. BUDROE: Second.

19 FACILITATOR KERN: It's been moved and  
20 seconded that Jerry's application to the Restoration  
21 Advisory Board be approved.

22 Is there any further discussion?

23 All in favor, say aye.  
24 (Unanimous vote).  
25 FACILITATOR KERN: Opposed? Motion

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1 carries.  
2 MR. DODSON: Thank you very much. Look  
3 forward to working with everyone.  
4 FACILITATOR KERN: Very nice. Thank you.  
5 We have on our agenda at this point  
6 landfill 8 and 10 and I thought we'd check in with Eileen  
7 and see how things are going out there. I did stop by 10  
8 on the way here and I looked at 8 and it looks like  
9 there's a lot happening at 8.  
10 MS. FANELLI: 10 we kind of talked about  
11 in the previous meetings is for the most part winterized.  
12 There's not a lot of work going on until we get dry  
13 weather.  
14 But landfill 8 is working. Most of the  
15 sand cover has been replaced and repairs are ongoing as  
16 we -- on the erosion towards the Wyman Avenue.  
17 MR. HULTGREN: We had some pretty severe  
18 rainstorms the last week, as I recall.  
19 Did that do any damage?  
20 MS. FANELLI: It did not, fortunately.  
21 Certainly we had our hands full with our erosion control

22 measures because it did rain quite heavy on Sunday  
23 evening, but we didn't have any significant -- nothing  
24 unexpected.

25 You know, we had slight movements of sand,

9

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1 but our erosion controls maintained. The contractor had  
2 done swift measures in advance, the rains came. They  
3 were out there the next day doing the maintenance  
4 activity they needed to do.

5 MR. HULTGREN: Thank you.

6 MS. NEWTON: Has there been any -- with  
7 all that rain we had on Easter -- that's when you're  
8 talking about.

9 MS. FANELLI: That Sunday was heavy as it  
10 was last Sunday.

11 MS. NEWTON: Have the Weinstocks had any  
12 more issues on their -- that flooding stuff they were  
13 having? Has anybody heard any more about that?

14 FACILITATOR KERN: I'm unaware if they've  
15 had trouble since --

16 MS. NEWTON: So maybe -- the 15th puddle.

17 MS. FANELLI: The 15th Avenue puddle has  
18 always been there.

19 MS. NEWTON: Did the puddle appear in a  
20 quick way? That was a huge, fast rain.



21 MS. FANELLI: Yes. The puddle is  
22 controlled by the geometry of the street in that area.  
23 The precipitation will eventually fill it up. It will  
24 fill up faster the harder it rains. So that is a  
25 separate issue from remediation.

10

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1 MS. NEWTON: So they haven't said anything  
2 more about, you know --

3 MS. FANELLI: I think the neighbors on  
4 15th Avenue would like the puddle addressed, yes.

5 MS. NEWTON: But that doesn't have  
6 anything -- the decision that has nothing to do with the  
7 work being done?

8 MS. FANELLI: Not for remediation. The  
9 puddle was there prior to any work for remediation, and  
10 it will be there until issues associated with San  
11 Francisco PUC and storm drainage are worked out.

12 MS. NEWTON: Okay.

13 MR. YOUNGKIN: Whatever's going on at  
14 landfill 8.

15 MS. FANELLI: The sand cover's almost  
16 complete. It's mostly, but not complete yet.

17 FACILITATOR KERN: I thought I noticed  
18 some large mounds.

19 Are those the beginning of the dunes?

20 MS. FANELLI: Yeah.  
21 FACILITATOR KERN: They're getting quite  
22 large, larger than I expected, but maybe they're going to  
23 be shaped more.  
24 MS. FANELLI: I believe they will be  
25 shaped some more, but they're basically in their

11

♀

1 locations per the final drawings.  
2 MR. YOUNGKIN: Are they similar to the  
3 dunes at Lobos Creek that have a core? Are they designed  
4 to move around?  
5 MS. THOMAS: Yeah. They should move.  
6 FACILITATOR KERN: Well, we --  
7 MS. FANELLI: Not so much. Just enough.  
8 MS. THOMAS: The base is made not to move.  
9 We're hoping the base stays, and above the base --  
10 MS. FANELLI: We're hoping the base does  
11 not move at all.  
12 FACILITATOR KERN: It will be interesting  
13 to see how those dunes perform with plants on them.  
14 Is there an expectation when plants might  
15 go in?  
16 MS. FANELLI: I think that Lew is  
17 planning -- that I hope will be in the next several  
18 weeks. The contractor should get completed in the next

19 couple of weeks.

20 MS. BLUM: Is there anything additional  
21 done to what I'm going to call the backside near the  
22 housing to shore up the potential for a torrent to run  
23 through there other than grading, just a grading  
24 situation?

25 MS. FANELLI: The repair includes the use

12

♀

1 of what we call geocells, geotubes. They're plastic open  
2 egg crates. They get stretched out, placed on the ground  
3 and filled with sand, and that provides horizontal  
4 resistance to movement, but they trans -- they pass  
5 water, so they're permeable, but they hold beyond  
6 consolidated sand in place.

7 MS. BLUM: Are they biodegradable?

8 MS. FANELLI: No. They're designed to be  
9 there forever, and they give structural stability.

10 MS. BLUM: So it's like a wall, basically.

11 MS. FANELLI: It's to repair the slope to  
12 a two to one. So the original slope is a two to one. To  
13 get it repaired to that same geometry, to get the  
14 strength in the material that you need, we needed to use  
15 some type of reinforcement.

16 A variety of reinforcements could have been  
17 chosen. The Trust chose geocells for a couple of

18 reasons.

19 Alternatives could have been the use of a  
20 fabric, you use plates and lifts much as you use two geo-  
21 cells in lifts, or you could have put in retaining  
22 structures, on the wall to hold it back on the outside.

23 The use of Geocells was chosen specifically  
24 because we thought it had the least impact on the  
25 habitat, and it was the easiest to install given the

13

♀

1 conditions.

2 When you compact with a fabric, you have to  
3 have certain moisture content and the material dry, so  
4 that limited our ability to work in the wet season.

5 Geocells can be filled wet and they'll  
6 provide structure. We can also build the slope back.  
7 And also what we designed is sand on top of that with  
8 retaining structures, natural wood restraining  
9 structures.

10 So the geocells are never visible and the  
11 retaining structures are not really structural for the  
12 hillside. They're just keeping that from going into the  
13 back woods, actually, but it provides a better habitat.

14 FACILITATOR KERN: Yes.

15 MR. O'HARA: Can I deviate from landfill 8  
16 to landfill 10?

17 MS. FANELLI: Yeah. You have the paper,  
18 and I brought this because of our discussion last month.  
19 We didn't go over the finances, so I just brought the  
20 finances.

21 MR. O'HARA: All I wanted to do was ask --  
22 is it okay? I tend to look at things more from a macro  
23 standpoint rather than a micro, and I -- I'm assuming  
24 that on your budget review, budget evaluation --

25 MS. FANELLI: Mm-hmm.

14

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1 MR. O'HARA: -- that of the costs incurred  
2 to date, estimated completion cost, there is  
3 approximately 29,000 -- 29 million dollars -- \$29,900,000  
4 that is in question, and my question regarding that  
5 amount is: What percentage of that would you expect  
6 would be covered by insurance? The insurance claims.

7 MS. FANELLI: That's a good question,  
8 Peter.

9 If you look at the actual report that I  
10 mailed out, this very high-level slide has a couple  
11 tables that breaks out the costs within this that are  
12 covered under the enumerated or known sites that are  
13 covered under the RSL policy versus the ones that are  
14 covered under the unknown or real policy.

15 So it's not a simple answer, but let me

16 flip to table 2 and see if I can make it pretty simple.

17 Okay.

18 MS. SEGAL: RSL versus real? Is Zurich

19 RSL?

20 MS. FANELLI: The RSL is the stop-loss

21 policy.

22 MS. SEGAL: Right.

23 MS. FANELLI: And the real is the real

24 estate environmental, something like that, and I'm

25 spacing out right now.

15

♀

1 MS. SEGAL: That's okay.

2 MS. FANELLI: So of the costs here, the  
3 29,000, I -- let me see if I can answer simply. I think  
4 about eighteen million of that is what the Trust  
5 anticipates are sixteen, seventeen -- about eighteen  
6 million are covered under the real policy, so the unknown  
7 sites, and the difference would be sites that are covered  
8 under the RSL policy.

9 So we would expect full reimbursement under  
10 the RSL for allowable costs.

11 Under the real, there's a deductible of  
12 25,000 per site, and I think that we're looking at  
13 somewhere on the order of 400 to 500, half a million  
14 dollars in deductible associated with the unknown sites.

15 MR. O'HARA: So that --

16 MS. FANELLI: So about half a million off  
17 of this is probably not covered.

18 MR. O'HARA: Okay. And that is the full  
19 amount of closing out all of the remedial -- remediation  
20 issues. So that at risk is 500,000, approximately  
21 \$500,000 of 150 -- two million dollars?

22 MS. FANELLI: Not being covered by  
23 insurance.

24 MR. O'HARA: It's going to have to come  
25 out of somebody -- somebody's -- somebody's pocket other

16

♀

1 than the insurance company.

2 MS. FANELLI: Right.

3 MR. O'HARA: Okay.

4 MS. FANELLI: And the Trust -- there is  
5 still Army advance, there's interest and there is Trust  
6 advance to cover labor costs included in that number.

7 So it isn't sort of an extra dollar amount.  
8 The Trust today has invested about -- committed over two  
9 million and has another million for commitments in labor.

10 I should take that back. They've invested  
11 over a million. They've got two million in labor  
12 program, and there's still a little dribble of interest  
13 being earned.

14 MR. O'HARA: And that two million dollars  
15 is expensed to the Trust, then?

16 MS. FANELLI: That is right. Trust  
17 operating dollars.

18 MR. O'HARA: Okay. Thank you.

19 MS. FANELLI: You're welcome.

20 MR. O'HARA: Thank you.

21 FACILITATOR KERN: Very good.

22 MS. FANELLI: So just -- these are the  
23 numbers that you normally see on the screen, and I didn't  
24 bring the whole projector and we didn't have a chance  
25 last month to go through them, and the quarter just ended

17

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1 for second quarter, so in the next couple of sessions,  
2 we'll have the update, but it just gave you the program  
3 review numbers, the overall summary on the back broken  
4 into our four main programs, and there's where you see  
5 the Trust funded dollars, a total of 3.2 million to date,  
6 and you'll see the interest, the reimbursed costs.

7 So that's a combination of claims for  
8 unknown contamination to the Army and to Zurich that have  
9 been basically paid.

10 So we've received at least -- almost six  
11 million dollars in claims, and then the last slide are  
12 the projects that last quarter had the greatest activity



13 and there's no surprise there.

14 The projects that we are working on, 8 and  
15 10 and fillsite 1 and landfill 2 are the majority.

16 DTSC's oversight bill comes in quarterly,  
17 so that's all there, and then the UXO discovery area B.  
18 Those are costs that we track separately because they're  
19 reimbursed by the Army.

20 Those were, I believe, costs that were  
21 partially from having UXO oversight during some of the  
22 work at fillsite 1, landfill 2, and they might be  
23 lingering costs for work that we did at building 104 for  
24 the disposal of some bullets during that program.

25 FACILITATOR KERN: Very good. Any other

18

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1 questions on landfill 8 and 10 or the status?

2 MR. BERMAN: I just wanted to make sure I  
3 understood the summary table.

4 MS. FANELLI: Mm-hmm.

5 MR. BERMAN: And that is at one time,  
6 there was an expected shortfall from funds of about  
7 thirty million dollars, and that's about what shows up  
8 here as the last row --

9 MS. FANELLI: Right.

10 MR. BERMAN: -- in table 1, and as I  
11 understand as to what you said, is that the shortfall

12 would he -- essentially the majority, almost 95 or 98  
13 percent of it would -- you would expect come from  
14 insurance?

15 MS. FANELLI: That's correct.

16 MR. BERMAN: From the various policies.

17 MS. FANELLI: That's correct.

18 MR. BERMAN: So the expectation is that at  
19 one time we were concerned here about the possibility of  
20 having to get donations, trying to get further federal  
21 legislation to increase the Presidio budget for the  
22 remediation, but do I understand the summary conclusion  
23 is with the numbers given in table 1 here, that that is  
24 no longer anticipated?

25 MS. FANELLI: Yes, and I -- you know, I

19

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1 can't speak to the past or what Craig might have  
2 indicated, but we've always been projecting this above  
3 and beyond cash on hand, but it is the part that we would  
4 hopefully call on the insurance policy that we paid for  
5 to cover.

6 So yes, the Trust is at this point not  
7 anticipating going to Congress or anywhere for additional  
8 moneys for remediation.

9 MR. BERMAN: That's going to be recorded,  
10 right?

11 MS. FANELLI: Yes. He's typing. I think  
12 I've said this before, so it's not news.

13 MR. BERMAN: Yeah.

14 FACILITATOR KERN: I'd like to move the  
15 meeting agenda. We have two major items to cover. One  
16 is our comment letter, and I'd like to spend about 45  
17 minutes on that letter and a comment extension letter,  
18 and then reserve about 45 minutes if we need for a public  
19 comment if folks here want to comment for the record on  
20 the RAP.

21 So what I'll do, then, is pass out -- this  
22 is the draft -- I think it's now draft number five. We  
23 received some additional comments today.

24 Unfortunately, for those of you have been  
25 trying dutifully to keep up, it's impossible to keep up,

20

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1 and this is the -- that can go. This is actually --

2 MS. MONAGHAN: Is this the five o'clock  
3 one?

4 FACILITATOR KERN: Well, that's something  
5 separate. There's a color document coming around.

6 Let me try to clarify the confusion. There  
7 was a public meeting last night for the RAP, and a couple  
8 of us were there. We made some public comment.

9 There was a presentation made that -- it

4-13-10 RAB Meeting.TXT

10 was a response to the questions that we had at our round  
11 table meeting on February 23rd with DTSC, and  
12 specifically those -- it was Jim Polisini who took our  
13 comments on the 23rd and he was there last night and  
14 responded to those comments.

15 I didn't know he was going to be there, but  
16 I was glad that I heard what he had to say.

17 He had about ten slides in a much longer --  
18 maybe a 36 slide Power Point which everybody should have.  
19 It's been delivered by Denise earlier today.

20 Being passed around is -- this is one of  
21 the slides from the slide show, and this is the one in  
22 particular that I have not seen this information before.

23 Much of the other information has been  
24 included in previous documents. Not that I'm memorizing  
25 all of the previous documents back to 1994, but they're

21

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1 part of the record. I was unaware of this information.

2 I found it to be new. I found it to be  
3 important and directly relevant to the decision for  
4 relaxing the cleanup levels from 0.5 milligrams per  
5 kilogram to 2.0 milligrams per kilogram for selenium in  
6 the soil.

7 So with that, in addition to other comments  
8 that I made, I requested a thirty-day comment period

9 extension to review Jim's presentation, and thinking that  
10 you might want to do the same, I've put this together for  
11 your review this evening to request a comment period  
12 extension.

13 You might take a look at that one-pager,  
14 and then between that -- I don't want to rush that. I  
15 don't want to prejudge that you might actually not want  
16 to do that. It's there for your use.

17 MR. BERMAN: Are there any other one-  
18 pagers?

19 FACILITATOR KERN: There should be a  
20 bunch. There should be 25 of those available.

21 MR. BERMAN: So the item for discussion is  
22 now the single page, what we're discussing now?

23 FACILITATOR KERN: Yes. I would ask you  
24 to look at the single page comment extension letter.

25 MR. BERMAN: I have a question --

22

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1 FACILITATOR KERN: Yeah.

2 MR. BERMAN: -- about Jim. You said there  
3 was a 36 slide Power Point.

4 FACILITATOR KERN: Yes.

5 MR. BERMAN: Was that sent out?

6 FACILITATOR KERN: Denise sent it out this  
7 morning.

8 MR. BERMAN: Oh, this morning? Okay.  
9 FACILITATOR KERN: Yeah.  
10 MR. BERMAN: So the package that we got  
11 before was -- that was a presentation of only the ten  
12 slides?  
13 FACILITATOR KERN: No. There should have  
14 been the full --  
15 MR. BERMAN: What I got was only ten  
16 slides as part of the overall presentation that was --  
17 there was a package of maybe thirty slides all together  
18 with ten presented by Jim and ten --  
19 FACILITATOR KERN: Right. It was included  
20 in that.  
21 MR. BERMAN: Oh.  
22 FACILITATOR KERN: Ten of the slides  
23 included in the entire of Jim's.  
24 MR. BERMAN: I thought you said there was  
25 36, and that's what I was confused by.

1 The reason why I'm bringing that up is it  
2 would seem to me that there should be a more formal  
3 written document than the ten slides for such new  
4 information, and -- I mean, your extension letter just  
5 asks to look at -- to have time to look at this, but I  
6 don't think we can really look at that without having a

7 written report.

8 I mean, I looked at those slides and they  
9 are very telescopic and they're not -- they're not of  
10 sufficient detail that anyone can actually make a  
11 sophisticated comment about the analysis.

12 And there's a few acronyms that are not  
13 defined, also, so that I think this is far from  
14 satisfying in order to actually do some work.

15 And so my first question is: Is there  
16 actually a detailed written report or is there a summary  
17 of some calculations that were done by Jim and presented  
18 at the meeting?

19 FACILITATOR KERN: The slide show that I  
20 saw last night that was sent out to everybody this  
21 morning is all that I've seen. I don't know if another  
22 report exists.

23 It could, but I don't know. I don't know  
24 if he's done that.

25 MR. BERMAN: Well, I just don't see how

24

♀

1 you could -- I mean, I feel extremely delusioned by that  
2 information without more backup, and ten Power Point  
3 slides. I don't think there's anyone that can take those  
4 slides and actually make a critical comment.

5 MS. FANELLI: Can I add? Having been

6 there, my impression of his presentation was responding  
7 in part to how the two was determined.

8 So that the information on those slides is  
9 referring basically to information included in the 2003  
10 or 2002 cleanup levels document, and it's the detail on  
11 how those -- those risk numbers were calculated, and it's  
12 showing the risk in the context of -- of other  
13 literature.

14 So it's not -- it's not new. It's not a  
15 new report. It's simply going into detail about how the  
16 number was devised. That's my impression of the  
17 presentation.

18 FACILITATOR KERN: I -- I would agree with  
19 that generally, that Jim -- some of the slides presented  
20 equations that we're familiar with in the ecological risk  
21 assessment, and he explained -- he walked through some of  
22 these, but this one, this one -- this was actually shown,  
23 and I was in the front row and I printed it out and  
24 there's still stuff on here that I would like to talk to  
25 Jim about what it means, and I can't read it, actually,

25

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1 and I couldn't read it last night.

2 So you notice on this page that there is a  
3 reference TBBI equals 1.32 milligrams to kilogram day,  
4 Presidio 2002. That is the cleanup level document.



5                   That number is in there, but this chart is  
6                   not in there. This chart is new, and this chart  
7                   incorporates a lot of studies.

8                   And so a primary interest of mine when we  
9                   relax a cleanup level from no observed effects to some  
10                  observed effects, what are we trading off? How much  
11                  money are we saving?

12                  Those are questions that I think -- I mean,  
13                  if this is what it's based off of, that it's reasonable  
14                  to investigate.

15                  So that's why I'm requesting the thirty  
16                  days is to first not necessarily request a report. I  
17                  don't want to request, unless he has something like that,  
18                  he could give us.

19                  But I would like to talk to him further  
20                  about these studies and which are the -- you know,  
21                  perhaps the critical ones, and there are just a host of  
22                  questions that will cascade off of that, substantial.

23                  MR. KETCHAM: And during the presentation,  
24                  the issues that you're raising were not addressed by Jim  
25                  Polisini? He didn't provide a rationale for why to go,

1                  you know, the two versus .5? He didn't address the cost  
2                  issue? It wasn't --

3                  FACILITATOR KERN: He did not address the  
  Page 27

4 cost, no.

5 MR. KETCHAM: Okay.

6 FACILITATOR KERN: Not at all. I doubt

7 that he would know what the cost would have been.

8 MS. FANELLI: I think what he was

9 addressing was that number in context of studies and

10 whether or not it represented in his opinion a risk, a

11 significant change.

12 MR. KETCHAM: And he was asserting that it

13 was a reasonable risk to take?

14 MS. NEWTON: In his opinion.

15 MS. FANELLI: In his opinion, that's

16 correct. That's my impression.

17 FACILITATOR KERN: In fact, he did say

18 that he felt that the 2.0 number was protective.

19 Now, it's -- he said it was protective

20 after he went through slides. I guess 0.5 is more

21 protective than 2.0, so that -- there still remains

22 question in my mind about what are we giving up? What

23 is -- if it's still protective, what effects can we

24 expect?

25 MS. SEGAL: On one of the charts, you can

1 read "behavioral."

2 FACILITATOR KERN: That's right.

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3 MS. SEGAL: These different parameters.  
4 FACILITATOR KERN: These different colors  
5 represent --  
6 MS. SEGAL: Different parameters.  
7 FACILITATOR KERN: -- different  
8 parameters.  
9 MS. SEGAL: But he did suggest or say that  
10 the line that goes across all of them, that was -- look  
11 at the amount of the risk above and below the line.  
12 That's why he's suggesting the two.  
13 MS. MONAGHAN: Mine has a one.  
14 MS. FANELLI: It was measuring the 1.3  
15 number that's on the top and it is in between.  
16 MS. SEGAL: I don't have it in front of  
17 me, though.  
18 MS. FANELLI: The number at the very top  
19 of the page.  
20 MS. MONAGHAN: I understand that.  
21 MS. FANELLI: What he was saying was that  
22 that value falls in the median range on that -- on that  
23 scale across the board.  
24 MS. MONAGHAN: It doesn't really.  
25 MS. SEGAL: Are there a couple more of

2 MS. NEWTON: I don't see any line for  
3 1.32.

4 MS. FANELLI: It's not drawn on there, but  
5 you could find it. What he's saying is that that falls  
6 about in the middle.

7 FACILITATOR KERN: One thing you might  
8 notice, though, is it's a lot of rhythmic scale, which is  
9 something that's very important for drawing lines for  
10 data. The scale matters.

11 I saw John and then Jan and then Jan.

12 MR. BUDROE: Just looking at those  
13 responses, you're right. There's two magnitude  
14 difference between the high and the low. There's quite a  
15 bit of swing there.

16 It's actually kind of interesting to see.  
17 For example, geometric means being used for some of those  
18 values.

19 If you were going to go fully health  
20 protected, you would use the low value. You wouldn't  
21 necessarily use a geometric mean. Of course it depends  
22 on the data set.

23 That's why extension of the comment period  
24 would give us the opportunity to really sit down and look  
25 at the technical data and be able to figure it out.

1           Having information like in that wasn't  
2 previously available.

3           The other thing that's interesting is going  
4 back and looking at the cleanup level document, that 0.5  
5 milligram per kilogram is actually the detection level.

6           So that's not necessarily the true  
7 background of selenium in the Presidio. That's just as  
8 low as you can get with the detection limit -- method  
9 that was used.

10          The actual true concentration of selenium  
11 can be an order of magnitude lower, two orders of  
12 magnitude lower. You don't really know, and I was kind  
13 of surprised to see the LOD, the limit of detection used  
14 as the background, because generally when you're looking  
15 at that kind of data, you would -- if you want to be  
16 really conservative, you use zero.

17          If what commonly gets used is one half the  
18 LOD. You don't usually use the LOD. So that was, you  
19 know, quite surprising to see that.

20          So you're not necessarily -- when we say  
21 background, it's not -- you don't really know if it's the  
22 background. That's just the number that you're picking  
23 as the background, and it could be different. It could  
24 be a lot lower.

25          MR. BERMAN: I think that's addressed in

1 the longer letter, that point.

2 FACILITATOR KERN: Let me just pause,  
3 then, and I don't want to rush anybody into the idea of  
4 this comment extension without being comfortable, but it  
5 may affect the comments that we're trying to make in our  
6 comment letter that we were going to submit within the  
7 normal deadline.

8 So if we could now look at that briefly,  
9 there's the three-page stapled letter also April 13, also  
10 we've marked at the top.

11 So I'm not sure that everyone has had a  
12 chance to read the very last version, version five, but I  
13 can tell you that it was not substantively changed. It  
14 was typos and a little wordsmithing. So that was the  
15 major idea on that.

16 We'd like to give people a chance to look  
17 at it. I also want to say -- this is not a pressure  
18 thing, that we don't have to vote on this as a group.  
19 You could choose to sign on individually.

20 If you choose not to sign on, it's really  
21 up to you what you want to do.

22 So -- but these are -- this letter is  
23 trying to capture the comments that we've been making  
24 over the period of reviewing this.

25 FACILITATOR KERN: Julian.

1 MR. HULTGREN: A few nitpicking comments.

2 FACILITATOR KERN: Please.

3 MR. HULTGREN: Would it be possible when  
4 multiple revisions come out that they could be labeled  
5 revision one, revision two, revision three. It's really  
6 hard to keep track of them.

7 FACILITATOR KERN: Absolutely.

8 MR. HULTGREN: The second thing is -- the  
9 problem I'm coming back -- that you mention of coming  
10 back with punctuation, grammatical changes, that suggests  
11 to me like we should have an editorial committee that  
12 once you get the substance down, it goes to that  
13 committee to clean up the language and punctuation.

14 You might take that under consideration,  
15 and I think it would minimize the number of redrafts that  
16 are necessary and probably expedite in the long run.

17 FACILITATOR KERN: That's a fair comment.

18 Jan.

19 MS. BLUM: I'd like to go back to the  
20 first point that you asked us to consider, which is  
21 requesting a thirty-day extension on the comment period.

22 In light of the late developing information  
23 on selenium, and I would just say as a non-scientific  
24 community member, I haven't a clue what those slides  
25 meant, and I'm not sure that I would ever be able to

♀

1 translate it without multiple years of science education.  
2 So I'm going to need a little more time.

3 Which means that if I don't understand  
4 this, I'm not sure that I understand our letter. Until I  
5 understand what this says, I'm not even sure that I would  
6 send my own letter because I don't understand about  
7 selenium at this point.

8 FACILITATOR KERN: All right. I think I  
9 understand what you're saying.

10 MR. HULTGREN: One other comment along  
11 that line. If we do ask for and get additional time,  
12 could I ask those on this committee who understand what  
13 this is about to explain it to us?

14 FACILITATOR KERN: Well, I think --

15 MR. HULTGREN: What these issues are  
16 about, explain them.

17 FACILITATOR KERN: I think that point that  
18 you're making right there is essential. I think everyone  
19 here, no matter what level of science training that you  
20 have, should be able to grasp what is being done with  
21 these technical studies.

22 So my answer to that is yes. We need to  
23 explain, absolutely.

24 Sam, please.

25 MR. BERMAN: I just want to address so



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1       dramatically the issue of whether the longer letter, the  
2       comment letter needs any modifications in view of what  
3       happened on the 12th and the new information that you got  
4       from Jim, and -- because, I mean, the comment letter has  
5       now been worked up and it is -- it is a pretty complete  
6       document, but I wanted to get your impression as being so  
7       intimately involved with this new issue as whether you  
8       feel the comment letter needs to go back, not for  
9       punctuation or spelling, but for content.

10               FACILITATOR KERN:    There -- there is one  
11       issue that I am -- we've not talked about that this idea  
12       of selenium at 2.0 being protective, certainly less  
13       protective than 0.5.

14               To me, since it's been -- I think there's  
15       no dispute that selenium is naturally occurring. I think  
16       the DTSC representative, Medi said we've tried to  
17       eliminate that from the document, and largely it has  
18       been.

19               So to me what we're doing now is we're  
20       trading off a higher cleanup level and we're cleaning up  
21       less area.

22               So I would want to know how much money  
23       we're saving in that effort, and to me --

24               MS. NEWTON:    What's the tradeoff? Say  
25       that again.

♀

1 FACILITATOR KERN: Well, there's only one  
2 remaining reason to change the cleanup level. Initially  
3 if selenium is naturally occurring, yes, you don't want  
4 to go digging up all of this area if it's naturally  
5 occurring, but it's been shown not to be naturally  
6 occurring.

7 So now we're faced with a tradeoff, if this  
8 cleanup level is relaxed, it's to save money.

9 MS. FANELLI: I would just want to add  
10 something. I can't speak for the DTSC, but it is not the  
11 Trust position that it is not necessarily naturally  
12 occurring.

13 It does say that it's naturally occurring  
14 in the feasibility study, which is approved by DTSC. And  
15 so I think that issue is up for further discussion.

16 I'm not speaking for the DTSC. I'm  
17 speaking for the Trust. The Trust draft of the  
18 feasibility study indicates that in many cases, we  
19 believe that it's naturally occurring, and if you read  
20 the feasibility study, you'll see the description of why  
21 we feel that way or why the science people -- it isn't  
22 the Trust. Our consultants that did the work for us  
23 drafted that.

24 Now, I'm not speaking for the DTSC. I  
25 understand that there is question as to whether --

♀

1       where's the evidence in the body of proof of whether it's  
2       naturally occurring or not.

3               So I think that trying to remove that  
4       discussion and say well, it may be, it may not be. What  
5       is the protectiveness level of that selenium.

6               I just wanted to add that as a  
7       counterpoint. Because the presentation that it's  
8       conclusive that it's not naturally occurring, that's not  
9       the Trust position necessarily. Just so that it's on the  
10      record.

11              FACILITATOR KERN: Well, very well, then.  
12      Even though DTSC has requested that references to it  
13      being naturally occurring be removed from the Draft RAP  
14      and those references have been removed, the Trust  
15      position is still that -- and we should rely on that,  
16      that it is naturally occurring?

17              MS. FANELLI: The Trust feels that the  
18      evidence does not preclude it being naturally occurring.  
19      We're not arguing that there could be a case for some of  
20      it naturally occurring, some of it not naturally  
21      occurring.

22              The Trust does not feel it reflects some  
23      anthropogenic or other effect. That is not our  
24      conclusion.

25              FACILITATOR KERN: Okay. Very well.

♀

1                   There's some questions. I saw your hand  
2           and then --

3                   MS. SEGAL: I just want to go back to the  
4           letter with the staple, and I was there last night and I  
5           heard Jim's presentation and, you know, there was a lot  
6           about robins and what they eat and when they eat and they  
7           don't eat worms and eat berries instead.

8                   In the thirty days, I understand a little  
9           bit more I will.

10                  However, in the letter, we're asking if the  
11           proposed cleanup level to higher in the range should be  
12           fully justified in the RAP.

13                  It seems to me that what Jim's research has  
14           done -- and naturally if he's done it, but it seems to me  
15           that what Jim presented does justify that the two, that  
16           higher level.

17                  FACILITATOR KERN: I think I would agree  
18           with you if in the case where Sam recommended that it be  
19           distilled to a written report form. Then it could  
20           actually satisfy what you're saying.

21                  MS. SEGAL: That point. It seems to me.

22                  FACILITATOR KERN: Good point.

23                  MS. SEGAL: And also nitpicking totally.  
24           If we do send such a letter with the extension, I don't

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25 know if Jim refers to himself as doctor.

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1 FACILITATOR KERN: Indeed he is. That's  
2 correct.

3 MS. SEGAL: A small point, but let's not  
4 alienate him.

5 FACILITATOR KERN: John and then John.

6 MR. BUDROE: Does the Trust have any data  
7 sets from native rock around those landfills that  
8 indicates that there's selenium, for example, above that  
9 0.5 level?

10 MS. FANELLI: I'm not sure what you're  
11 asking me.

12 Are you asking for what we said in the  
13 feasibility study to indicate why we believe it's a  
14 naturally occurring number?

15 MR. BUDROE: Yeah. Because to really --  
16 to know if your selenium is naturally occurring or not, I  
17 would think that you'd want data from the --

18 MS. FANELLI: One of the reasons we  
19 postulate that it's naturally occurring is that it is  
20 present solely slightly above the cleanup level, and  
21 there's no other indication of any other coal located  
22 contaminant with it, and it is in a rock sample collected  
23 from the rock itself in the serpentinite.

24 So it's a sample specific data point.

25 MR. BUDROE: That's interesting, because

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1 the cleanup level document says -- listed seven or eight  
2 samples of serpentinite taken completely below that.

3 MS. FANELLI: I understand that.

4 MR. BUDROE: So the question is -- at that  
5 point is what you're seeing at the landfill there is an  
6 outlier.

7 MS. FANELLI: Potentially, and that's why  
8 we understand and we're not making a big argument whether  
9 it's naturally occurring or not.

10 There's lines of evidence and bodies of  
11 evidence in different directions. The data set in the  
12 2003 background document is also a limited data set for  
13 certain locations, you know.

14 So you get variations in rock, particularly  
15 serpentinite, which has gone through all sorts of  
16 changes, you know, metamorphic and you can get different  
17 concentrations and different times of minor rolling  
18 within it depending on the variance.

19 So the primary basis for it is its  
20 distribution in a variety of materials and the fact that  
21 the serpentinite areas, it is the only metal that is  
22 slightly elevated and there's no other evidence of any

23 other contaminant that is associated with the landfill  
24 associated with that sample.

25 FACILITATOR KERN: I just want to say -- I

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1 appreciate learning the Trust position, which is actually  
2 not really in the final RAP. That's important to us.

3 We're not going to agree and we're not  
4 going to even become close to actually addressing this  
5 subject here tonight.

6 MS. FANELLI: I'm not trying. I just  
7 wanted to clarify when you made a comment.

8 FACILITATOR KERN: I appreciate that.  
9 Just so you know, we spent a -- many, many months if not  
10 years working on chromium and we have not come close to  
11 that standard to show that this is naturally occurring.

12 So I don't think we can spend more time on  
13 that part of the discussion. It has been clarified, the  
14 Trust position.

15 Knowing -- knowing the Trust position, if I  
16 could set that over here for just a moment. To me, the  
17 discussion now with a cleanup level being raised or  
18 relaxed or weakened has to do with saving money, and I  
19 would like to know how much we can save.

20 If the proposed cleanup costs us eight  
21 million or something in that neighborhood and we're

22 saving a hundred thousand to leave a ring of low level,  
23 but contamination around the site, that's something that  
24 we should talk about. We should know within some range.  
25 If it's 10,000, a hundred thousand, five

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1 million dollars, it matters. It matters how much money  
2 we're going to save.  
3 We might agree if we're going to -- if it's  
4 going to cost us five more million dollars to clean up  
5 that little extra fringe, we might agree and say well,  
6 that's a risk we'll take.  
7 If it only costs us \$50,000 to scrape a  
8 foot of additional material, that's a different subject.  
9 So, so to speak, this prompts us  
10 requesting, which is not in any of these documents -- it  
11 just occurred to me last night. It prompts us to request  
12 a sub-alternative in the document that says give us the  
13 cost for cleaning up this remaining bit of contamination.  
14 I haven't really worked that into a  
15 proposal here tonight. It's just -- this is responding  
16 to Sam's question.  
17 Peter.  
18 MR. O'HARA: Wouldn't that request be like  
19 any other set of options? There's the cleanup option to  
20 5 and then there's the cleanup option to 2.0, and you



21 quantify those dollars and the difference is the -- is  
22 the cost differential between the two -- between the two  
23 cleanup levels?

24 FACILITATOR KERN: Precisely. It's a new  
25 alternative. It would be a comment requesting an

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1 additional alternative --

2 MR. O'HARA: Yeah.

3 FACILITATOR KERN: -- in the RAP.

4 MR. O'HARA: The only reason I raise it is  
5 because it's -- it would follow protocol that has been  
6 established in the past of this alternative and that  
7 alternative based on methods and the reason for those  
8 methods --

9 FACILITATOR KERN: Mm-hmm.

10 MR. O'HARA: -- and the dollars involved.

11 MR. KETCHAM: But the other piece of  
12 information that's important is what is the effect of a  
13 2.0 standard versus a .5 standard.

14 Because if there's no difference there, why  
15 spend any money if it's completely the same? And if it's  
16 a huge difference there, seeing both pieces of  
17 information, and what's missing for me in this discussion  
18 here is an argument as to why the standard was weakened  
19 from .5 to 2.0.

20 That's the part that I don't know who's  
21 made that decision, what the argument is to make that  
22 decision, and for me, at least, the comment letter is  
23 really fine as it is, because it says we noticed this  
24 change and we don't understand the reason for it and  
25 we're not comfortable with it, and that says please come

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1 back and talk to us and tell us why. That's at least the  
2 way I see it.

3 MR. BERMAN: I would agree with -- with  
4 your statement. But I think that you should insert two  
5 sentences into the comment letter saying that it would be  
6 helpful to evaluate this to have some understanding of  
7 the cost associated with the difference.

8 That could go right in there in the comment  
9 letter, because this is a letter to DTSC and it would be  
10 DTSC that would have to request that information from the  
11 Trust.

12 So it seems that we could take that -- we  
13 could include that in the comment letter so that the  
14 comment letter actually has a specific request and it's  
15 right there at that paragraph where the -- where the  
16 selenium change had been made, and --

17 FACILITATOR KERN: Okay. John and then  
18 Barbara.

19 MR. CHESTER: Is there a layman's  
20 definition or layperson's definition based on the science  
21 behind this?  
22 I don't know if anybody in this room can  
23 tell us why the cleanup level moved, and is it -- did  
24 they change the toxics -- did the risk assessment  
25 numbers -- equations change? Was there a change in the

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1 science? Was there change in the target receptors?  
2 FACILITATOR KERN: No. None of those  
3 things changed. I can tell you that.  
4 MR. CHESTER: So we'd be -- it's --  
5 FACILITATOR KERN: In my mind, it's a risk  
6 management choice.  
7 MR. CHESTER: And the original document --  
8 what's it called? The original cleanup standard that the  
9 Trust established was the 0.5?  
10 FACILITATOR KERN: Correct.  
11 MR. CHESTER: And then this chart is the  
12 reason why, apparently. That they moved to two. But I  
13 don't understand this chart.  
14 FACILITATOR KERN: I agree. That's why I  
15 printed this.  
16 MR. CHESTER: So --  
17 FACILITATOR KERN: This is what I need to

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understand better, as well.

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MR. CHESTER: Could we request Jim -- the first time he came, he didn't have this. He talked about it, but he didn't have this with him.

22

Is there a way that we could get him to come and speak again?

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FACILITATOR KERN: Jim told me after the meeting that his contact information was on the slides,

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which it is, and that we could contact him to find out more about this.

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MR. BUDROE: Basically the answer to John's question, what this is is a graphic representation of all the raw toxicity data for different species and end points for selenium in birds.

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So you've got a spread from, for example, for each category, say like reproduction.

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MR. CHESTER: And this dose is the dose of selenium?

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MR. BUDROE: Right, and there's about a two order of magnitude difference between the lowest dose report the cause and effect as the highest dose, and that's actually --

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FACILITATOR KERN: Well -- so it's -- the -- the highest dose doesn't do anything is what it

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17 comes down to.  
18 So this is the raw data that he took --  
19 well, that you could take.  
20 MR. CHESTER: So it's new data applied --  
21 MR. BERMAN: No. He didn't -- he just  
22 took other people's data.  
23 MS. FANELLI: There's plenty of other  
24 studies.  
25 FACILITATOR KERN: Other studies.

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1 MR. BUDROE: But he essentially gave  
2 examples of taking information from this data set.  
3 There's a lot of different ways you can look at it.  
4 You can look at the low value of the range,  
5 the high value in the range, the geometric mean, the  
6 median.  
7 There's a lot of ways to massage the data  
8 set, and what gave examples of going through the series  
9 of calculations figuring out what the low dose is, how  
10 much of a certainty you want to incorporate into that,  
11 what's the relative source that selenium, how much of  
12 that is likely to get into the animal's diet. You know,  
13 especially given the size of the range, and you come out  
14 with a number at the end.  
15 MR. BERMAN: That number -- that number is

16 not a number with precision. That number is plus or  
17 minus something.

18 If you look at this data and it depends on  
19 how you sort the assumptions into -- and that's why I  
20 feel a report is missing.

21 Because a number derived from an equation  
22 has got to have some basis for that, and since there's a  
23 whole range of processes here, there's going to be an  
24 uncertainty associated with it and there's going to be a  
25 methodology for selecting a certain pathway through the

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1 uncertainties, and that was not in the slides at all.

2 MR. CHESTER: So this methodology wasn't  
3 available when the original two -- .5 was.

4 FACILITATOR KERN: Oh, yes.

5 MS. FANELLI: Yes, it was.

6 FACILITATOR KERN: It was. It was how the  
7 .5 was selected, and now we have a choice. We want to  
8 weaken the cleanup level and we look at the data and we  
9 move the line, and well, is it still protective, and  
10 according to Jim, it's still protective. But it is --  
11 it's clearly less protective. It has to be.

12 Yes.

13 MS. BLUM: My question is: If we submit  
14 this letter with the alterations asking for -- let's see.

15 We're going to ask for additional information or would  
16 DTSC consider plan C or A, B, isn't it too late?  
17 So would we get another chance to comment  
18 if DTSC incorporated a change in the plan? Aren't we too  
19 late?  
20 FACILITATOR KERN: This is the public  
21 comment period.  
22 MS. BLUM: Will they come back to us and  
23 say, "Okay. We took your suggestions into consideration  
24 and we've made these changes to the Draft RAP" and now we  
25 have another comment period? Would that happen?

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1 FACILITATOR KERN: If DTSC found that what  
2 our comments collectively and with other people were  
3 important or valid or caused them to change their  
4 thinking, they could either actually -- I think they  
5 would have a range of choices.  
6 They could negotiate with the Trust,  
7 propose something. If it was a major change in the  
8 remedy that was proposed, then they would have to  
9 actually put that out for public comment.  
10 But this is a proposal within the document.  
11 The weakening of the cleanup level from 0.5 to 2.0, it's  
12 a proposal within the document that DTSC could decide not  
13 to accept that and the remedy would go ahead without the

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14 cleanup level change.  
15 Does that make sense?  
16 MS. BLUM: Before asking for comparison  
17 between cleanup level to this and cleanup level to A plus  
18 one for selenium, just to evaluate the risk assessment.  
19 FACILITATOR KERN: The cost, yes.  
20 MS. BLUM: What effect would that have on  
21 what the final plan would be?  
22 FACILITATOR KERN: Well, then we could say  
23 authoritatively, because we would have the number. We  
24 could say we agree that it's -- since we're being asked  
25 to evaluate this change in risk and we've compared it --

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1 we don't want to spend ten million dollars to get that  
2 little extra cleanup.  
3 We're okay with -- we think you ought to go  
4 ahead and spend fifty to a hundred thousand or whatever  
5 the number is to do this extra cleanup. That's what the  
6 choice is down to in my mind.  
7 So it would have to come back to us and  
8 then we could comment and say we agree, we don't agree.  
9 We would argue or not.  
10 MS. BLUM: Okay.  
11 FACILITATOR KERN: John.  
12 MR. BUDROE: I think on the timing, we



13 could submit this comment letter now and also request a  
14 thirty-day extension.

15 Extensions like that to public comment  
16 periods are commonly granted by Cal-EPA departments, and  
17 if we -- we could wind up possibly in thirty days  
18 revising -- submitting a revised comment to DTSC, and  
19 that's also commonly accepted and done.

20 FACILITATOR KERN: That's certainly an  
21 option, absolutely.

22 As of right now, we don't know whether  
23 we're going to get any comment extension, so it would be  
24 prudent for us to be fairly happy with the letter, and if  
25 we wanted to go ahead, we have it and we can submit a

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1 comment extension letter, as well.

2 MR. BERMAN: Are you thinking of the  
3 comment letter revised with a request for some financial  
4 information as to the difference between the --

5 FACILITATOR KERN: I've got a one-sentence  
6 addition that says it would be helpful to understand the  
7 difference in cleanup cost between 0.5 milligrams per  
8 kilogram and 2.0 milligrams per kilogram of selenium.

9 MR. BERMAN: I will just add that it would  
10 be helpful to us in order to resolve this issue.

11 FACILITATOR KERN: Okay.

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Julian, and then Barbara.

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MR. HULTGREN: Let me just throw this

out -- my turn?

FACILITATOR KERN: Please.

MR. HULTGREN: In view of what Eileen said  
about the Trust position --

FACILITATOR KERN: Yes.

MR. HULTGREN: -- which is essentially we  
don't have evidence conclusive either way, I wonder if we  
should modulate our letter so that we're not so adamant  
about taking the position that -- that it is not  
naturally occurring, because apparently there is  
scientific evidence either way, and I think we might look  
a little foolish and overreaching if we say it -- if we

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take that position too vigorously.

FACILITATOR KERN: Well, I absolutely  
agree with that, and I -- I have received some language,  
even today, actually relating to that.

MR. HULTGREN: Mm-hmm.

FACILITATOR KERN: And I have added it to  
announces things like it is our opinion, we believe that.  
So we're not stating it as --

MR. HULTGREN: Right.

FACILITATOR KERN: -- a fact. Exactly.

11 Precisely.

12 MR. HULTGREN: Good.

13 FACILITATOR KERN: The reason that --  
14 there are some really good reasons that we state in  
15 here -- hopefully you've seen it, that selenium is very  
16 mobile in the environment in water, transports all over  
17 the place, and when it -- when it's part of materials  
18 that are burned, it's some of the stuff that goes right  
19 out the stack and can be blown all over the place, re-  
20 absorbed to soil.

21 So that's why selenium can contaminate an  
22 area around this area and not other things.

23 MR. BERMAN: So that I think this is  
24 slightly -- I mean, one of the interesting arguments that  
25 we've heard about chrome 6 was the nature of the -- when

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1 it's isolated all by itself and there's no other  
2 contaminants, that was one of the strong arguments for  
3 arguing that there's naturally occurring levels of chrome  
4 6 in the Presidio, but chrome 6 doesn't have the mobility  
5 of selenium.

6 So -- you know, and this is a technical  
7 issue of which I don't know the answer to. Those rather  
8 profound arguments that were used for chrome 6, are they  
9 equally valid for something that is mobile as selenium.

10 And -- because that -- what made that  
11 argument so effective was the isolation of the chrome 6  
12 in the naturally occurring case.

13 But again, it's not as mobile as the  
14 selenium, and so the question is: Is an isolated -- if  
15 you find selenium isolated and there's nothing else  
16 associated with the landfill with the selenium, is there  
17 a reasonable probability that that could occur because of  
18 the mobility of selenium?

19 FACILITATOR KERN: Well, I think there is,  
20 and one -- one way to consider that is to review the  
21 confirmation sampling for the Baker Beach sites.

22 Over fifty confirmation samples on  
23 serpentinite, the highest value 0.26. Fifty confirmation  
24 samples in serpentinite.

25 We're not seeing it naturally occurring at

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♀

1 that site as part of the same formation.

2 So I just -- I don't want to continue the  
3 naturally occurring argument because we've got a few more  
4 things to try to do.

5 MR. BERMAN: I agree with that, but Eileen  
6 did bring up this issue of the isolation of the selenium,  
7 and that's an important technical point that seems to  
8 be -- maybe some useful argument could be made so that us

9 amateurs could understand why that argument for the  
10 chrome 6 is pertinent for the selenium or is it less.

11 MR. CHESTER: Could I ask --

12 FACILITATOR KERN: Please, John.

13 MR. CHESTER: -- one quick question on  
14 this?

15 I was a little bit confused. Understanding  
16 that the members of the RAB that the DTSC does not  
17 believe that selenium is naturally occurring at the  
18 levels --

19 FACILITATOR KERN: That is my  
20 understanding that DTSC requested that references to it  
21 being naturally occurring be removed from the RAP, and  
22 that was it.

23 MR. CHESTER: And the feasibility study  
24 quoted saying something different, and DTSC has not  
25 recanted the feasibility study or commented on the

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1 feasibility comment.

2 FACILITATOR KERN: Well, that is in part  
3 why we request in our comment letter that DTSC state  
4 explicitly that selenium is not naturally occurring or  
5 has not been shown to be naturally occurring.

6 Yes.

7 MR. HULTGREN: I take it that DTSC has not

8 made that statement so far, so therefore, I would argue  
9 that they haven't made a conclusion one way or the other.

10 FACILITATOR KERN: Well, I thought I just  
11 said that they required the Trust remove those references  
12 from the document.

13 I think they were trying to be thoughtful  
14 in terms of cost to go all the way back to previous  
15 documents to remove all of this record. That's my  
16 feeling about it.

17 MR. HULTGREN: Mm-hmm.

18 MS. FANELLI: I have no direction from  
19 DTSC that they feel strongly one way or the other. I  
20 think they are approaching this as a risk matter.

21 MR. HULTGREN: I don't think you can argue  
22 that because they removed the statement, that the  
23 statement is true. They just removed one of the  
24 statements, period.

25 By innuendo, you can believe anything you

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1 want to, but --

2 FACILITATOR KERN: I see what you're  
3 saying.

4 MR. HULTGREN: -- this is a good decision.

5 FACILITATOR KERN: It was part of our  
6 comments earlier on that this -- that selenium was not

7 being shown to be naturally occurring through an extended  
8 process, and then they removed the comment.

9 MR. HULTGREN: Mm-hmm.

10 FACILITATOR KERN: So I'm not just taking  
11 this by innuendo. It was part of a process in a  
12 conversation, so I -- I think it's important if there's  
13 any doubt about it to have more discussion around the  
14 naturally occurring part, but believe me, that will take  
15 a lot of time, and we should go into it if people want  
16 to.

17 But I don't think we should make a decision  
18 in a rush. It's a whole separate issue, naturally  
19 occurring versus weakening the cleanup level. It's  
20 really a separate --

21 MR. HULTGREN: But isn't that the core  
22 question that you have to have answered first before you  
23 can say whether -- 0.5 is appropriate or two point is  
24 appropriate?

25 If it's naturally occurring, 1.5. That's

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1 going to be very important to deciding whether the 2.0 is  
2 appropriate or not.

3 FACILITATOR KERN: I absolutely agree with  
4 you, and there is a process where if a party would like  
5 to suggest that a particular constituent is naturally

6 occurring, then there is a process.

7 They have to go through some extremely  
8 rigorous tests to show that, and that has not been done,  
9 absolutely. I can guarantee you that. It has not been  
10 done. Not close.

11 MR. HULTGREN: Eileen, is it -- is there  
12 any scientific position on that that would argue one way  
13 or the other?

14 MS. FANELLI: I think that's why the Trust  
15 is comfortable with where we're at is although we feel  
16 that there's a fair amount of data and evidence to  
17 suggest its natural occurrence, it is inconclusive both  
18 directions.

19 Nevertheless, two is a protective number.  
20 This is the number. There's no harm to species, there's  
21 no harm to humans, there's no harm to drinking water.

22 Because of that, it is not a contaminant  
23 and does not need to be cleaned up.

24 MR. HULTGREN: Okay.

25 MR. KETCHAM: That it is not something

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1 that you're convinced of, Doug, that 2.0 is safe.

2 FACILITATOR KERN: Correct.

3 MS. NEWTON: And how do we become  
4 convinced of that, then? Who --



5 MR. BERMAN: Well, you need to have a  
6 report from Jim Polisini so you could read it. If you  
7 have a report, then you can see what was done at a given  
8 moment.

9 If you can't follow it, you can have an  
10 independent expert look at it and say are these  
11 calculations justifiable.

12 What he presented was technically fairly  
13 complicated. I don't think --

14 FACILITATOR KERN: Barbara raises -- you  
15 raise a very good point, and Sam, you're responding to  
16 it. The point is how would we be convinced.

17 This is starting to -- down that road. We  
18 got it yesterday. That's -- this is part of the process,  
19 and we get to have a discussion about that.

20 It's not just like it comes down and he  
21 says it's protective and we get to talk to him about it.  
22 Because it has an effect -- as you're all saying, it has  
23 a big effect on the remedy, how much cleanup will be  
24 done, and the effect will be to leave a ring around the  
25 site of this low-level contamination.

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1 MR. HULTGREN: Was that another issue from  
2 the basic 2.0 issue?

3 FACILITATOR KERN: The effect of changing

4 it from .5 to 2.0 will leave a ring of contamination  
5 around the site. That's what I'm saying.  
6 MR. HULTGREN: Well, I would -- I'm sorry.  
7 You have to explain that to me because I don't -- because  
8 I understand that there would be a certain area that  
9 would be excavated.  
10 FACILITATOR KERN: Yes.  
11 MR. HULTGREN: And -- if there's a ring  
12 left there that has contamination, it should -- it should  
13 be -- excavation should be expanded.  
14 Is that what you're saying?  
15 FACILITATOR KERN: Yes.  
16 MR. BERMAN: It depends on what number.  
17 MS. NEWTON: It's an acceptable level of  
18 contamination, I guess.  
19 MR. HULTGREN: Are we talking about the  
20 contamination in the fringe area or underneath the fill?  
21 FACILITATOR KERN: Outside it, yeah.  
22 MR. HULTGREN: Okay.  
23 MS. MONAGHAN: Can I ask a question?  
24 FACILITATOR KERN: Please, Jan.  
25 MS. MONAGHAN: If we change the cleanup

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1 level to 2.0, does that apply to all future sites, as  
2 well, or just this site?

3 FACILITATOR KERN: The specific proposal  
4 is for this site, landfill 2 and fillsite 1, but it would  
5 set a precedent for other sites that had serpentinite.

6 MS. MONAGHAN: Which is all of them.

7 FACILITATOR KERN. Okay.

8 MR. O'HARA: In previous cleanup sites,  
9 has .5 been the cleanup level that has been -- have we  
10 cleaned up to .5 for selenium?

11 FACILITATOR KERN: Yes. That has been.

12 MR. O'HARA: And in this particular site,  
13 the suggestion has been made to raise the -- lower the  
14 cleanup level to 2.0 because it's -- .5 is no longer  
15 considered to be --

16 MR. KETCHAM: Necessary.

17 MR. O'HARA: Yeah. Why at this particular  
18 point is there a change in cleanup levels from .5 to 2.0?  
19 Is there anything substantive to -- to make that change?

20 MR. BERMAN: I'll give you an amateur's  
21 response.

22 MS. FANELLI: That's all right. I would  
23 direct you to read the feasibility study in particular  
24 because that is where the distribution and the discussion  
25 is more thoroughly covered under metals issues and

1 selenium, and if you read it, you will see that selenium

2 concentrations are basically the same in the waste  
3 material and the fill sands around -- surrounding the  
4 waste material laterally and beneath, and it is  
5 indication that it is not a contam -- source of  
6 contaminant.

7 It's not there's a source that's causing  
8 selenium to migrate from it, and that's one of the pieces  
9 of evidence for saying that there's something natural  
10 occurring there.

11 There's other data from actual samples near  
12 landfill 2 that are from serpentinite that there's an  
13 elevated selenium, but it is the only constituent in that  
14 piece of sample in that rock, indicating again there's no  
15 other coal located samples.

16 I don't know if we had a site -- I'd have  
17 to go back and check -- where selenium was one of the  
18 outstanding COCs.

19 We see selenium across the Presidio in lots  
20 of different matrices, lots of different soil types, and  
21 you're right.

22 Cleanup documents and background samples  
23 from different locations have generally lower numbers,  
24 but there's a lot of variability and morphology of things  
25 like serpentinite when it deals with chrome or when it

1 deals with other metals based on how it was metamorphosed  
2 and what's happening with that material.

3 So it really is somewhat inconclusive, but  
4 that's why the body of evidence you're suggesting says  
5 that this stuff is ubiquitous.

6 It's not an evidence of the source, of  
7 point source or waste material that had selenium migrate  
8 away from it. So it's not the driver for the waste  
9 identification.

10 And then the two level is in the Trust  
11 opinion, as well conservative protective order number.  
12 So that removing potentially naturally occurring material  
13 is -- it's just not a prudent thing to do in this area,  
14 and that's the argument.

15 It's all throughout the feasibility study.  
16 It's much more high-level in the RAP.

17 Jim did offer to speak with anybody on it.  
18 He's been up here twice, to meet with you and to do that  
19 other public meeting. I'm sure he'd be more than happy  
20 to answer questions.

21 I'm not a risk assessor. I described it as  
22 best I can without being a toxicologist myself in terms  
23 of numbers.

24 FACILITATOR KERN: I don't want to counter  
25 again because you've heard my discussions.

1                   MR. KETCHAM: I just don't want us to get  
2                   stuck agreeing to disagree. Either .5's the right number  
3                   or 2.0's the right number. There needs to be a next step  
4                   to resolve that.

5                   MS. NEWTON: Right. In terms of safety.

6                   MR. KETCHAM: And cost. Those are the two  
7                   dimensions I think that would be the potential factors to  
8                   be considered, but the core of it what's the difference  
9                   in safety between 2.0 and .5.

10                  I understand the natural producing argument  
11                  that makes it hard to solve, but before I care about  
12                  that, is 2.0 safe? If it is, we're good. If not --

13                  MS. NEWTON: That's the obligation we have  
14                  to our neighbors is to make the area safe. Not at a  
15                  certain price. That wasn't the original plan.

16                  Even though that may be what's happening,  
17                  but I have a hard time going back to my neighbors and  
18                  saying, "Well, you know, we were going to make it clean,  
19                  but it's not cost-effective any more to do so."

20                  So I don't like to -- I can't make that  
21                  number one priority. Number one has to be what's right,  
22                  what's safe and what should the park be in the future.

23                  MR. KETCHAM: I'm not sure is Jim Polisini  
24                  coming back's going to be the solution, going to derive  
25                  is 2.0 safe. He gave a presentation and you came away

1 not feeling like you had an answer on that.

2 FACILITATOR KERN: And it comes back to an  
3 argument that I would make that it is -- there's an  
4 incinerator on the site and it's mobile in water and air,  
5 and that would distribute it around the site.

6 Serpentinite is a fractured bedrock. It's  
7 not difficult to imagine water percolating with selenium  
8 in it into some depth into that bedrock and depositing  
9 selenium in the bedrock, wow, where did this come from?

10 It's naturally occurring, but it was  
11 deposited there from the landfill.

12 So -- but I want to agree with your insight  
13 and Julian's that it -- you shouldn't take my word for  
14 this.

15 I do have strong feelings about it, but  
16 this should -- if a determination is going to be made, it  
17 should be done in a process about a naturally occurring.

18 You shouldn't take my word for it, and  
19 unless the process is completed to your satisfaction,  
20 that's what you should take away.

21 It's not good enough to just say it might  
22 be naturally occurring. That's not how we do it.

23 John.

24 MR. BUDROE: Thirty-day extension on the  
25 comment period would give us a nice leg up to be able to

1 take a look at this, an additional look at some of the  
2 material that was presented in the Power Point  
3 presentation.

4 So we could definitely use that.

5 MR. KETCHAM: I guess I'd just like to  
6 know, you know, if -- so who needs to address it? Who's  
7 credible? Who's independent? Who's got the knowledge?  
8 Who's going to come forward and give a report, like Sam  
9 said, that people would look at and say, "okay, good."

10 We have, you know, good information that we  
11 all Trust and believe. We've arrived at a point of view.

12 I'm just nervous that we're going to be  
13 thirty days from now that we still don't agree, and  
14 things kind of get stuck and I don't like to see things  
15 stuck.

16 FACILITATOR KERN: Sam.

17 MR. BERMAN: I know you want to move on,  
18 and I agree very much that we don't want to be in a  
19 position like that thirty days from now, and that's why I  
20 feel again strongly that you need a report, and that  
21 report that Doug can read and we can all read it, but  
22 politically, I think if this is considered significant,  
23 that report should be written and it should be sent out  
24 to an independent referee.

25 This is not -- we don't have a journal



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1 article in a refereed journal that we can refer to. We  
2 have somebody's calculations presented in a sort of  
3 telescopic way and drawing information from a number of  
4 public papers, but his final -- putting it all together  
5 has not been in my estimation -- this is an important  
6 issue.

7 This has not peer reviewed by his peers.  
8 It's just one person. He's an expert, and I have no  
9 reason not to -- to not doubt the 2.0 number is  
10 protected, but given that it's an issue and it's a  
11 complicated issue, you need to have support for that.

12 So politically in my mind, the only way you  
13 can get that is to get a report, have it reviewed by an  
14 outside expert, and there's plenty of outside experts in  
15 this area.

16 MS. NEWTON: Well, we have the report.

17 MR. BERMAN: We don't have a technical  
18 report from Polisini.

19 MS. NEWTON: So you want something more  
20 detailed from Dr. Polisini?

21 MR. BERMAN: Something that a person who  
22 is an expert in the field. We're in court now and  
23 someone says, You have this document here? No, I don't  
24 have a document. I have some calculations that I made.  
25 Has it been reviewed by an independent expert? I don't

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1 know.

2 At this point -- I think that this is  
3 important to us -- then we should say that we have no  
4 reason to disagree, but it would help us on this issue  
5 of -- of the change of number to have the -- the  
6 calculation reviewed by an independent expert.

7 MS. NEWTON: The calculation of -- this --  
8 the gist of this report?

9 MR. BERMAN: Well, those numbers that  
10 Polisini presented an argument that said that two was  
11 protective, okay. That's not based on just pulling it  
12 out of the genie bottle. That's based on some detailed  
13 calculations.

14 MS. NEWTON: And it's not based on whether  
15 it's naturally occurring or not. It has nothing to do  
16 with that. It's simply looking --

17 MR. BERMAN: Right.

18 MS. NEWTON: -- at the amount of --

19 MR. BERMAN: That's my understanding,  
20 Doug. Correct me if that's not correct.

21 FACILITATOR KERN: Correct.

22 MR. BERMAN: And therefore he's done some  
23 work. He's called on peer review journals to collect his  
24 information and he's made conclusion that the 2.0  
25 number's protected, okay, and we are concerned that we'd

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1 like to understand that, and there's not sufficient  
2 material to look at to understand.

3 FACILITATOR KERN: We have about fifteen  
4 minutes remaining to us in the time allotted tonight.  
5 I'm going to recommend that if you have public --  
6 individual public comments that you'd like to make, that  
7 you submit those directly in writing. That would be the  
8 best way to handle that given the amount of time that we  
9 have.

10 And given the remaining time, I would like  
11 to see if we can resolve what we're going to do with  
12 the -- these two numbers.

13 Is there -- without taking a vote, is there  
14 a general consensus that you would like to seek a thirty-  
15 day comment period?

16 MR. CHESTER: Yes.

17 MS. BLUM: Yes.

18 FACILITATOR KERN: It does not appear to  
19 be -- is there really any objections to sending such a  
20 letter?

21 MR. BERMAN: My -- I would like to discuss  
22 that.

23 If you ask for a thirty-day comment period  
24 and you can't get your work done, is it -- John, you've  
25 had some experience in this.

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1                   Do you lose your legitimacy if you then ask  
2                   for another extension period?

3                   MR. BUDROE:   You can get to the point  
4                   where you're considered to be stringing it out.

5                   MR. BERMAN:   Being a nag.   So the only  
6                   question is whether thirty days is sufficient.   I think  
7                   we need time, and the question is, you know, what is our  
8                   plan?   What are we going to do in this thirty days?   Are  
9                   we going to huddle every day and burn the midnight oil  
10                  and learn more about toxicology of birds?

11                  FACILITATOR KERN:   Well, it's incumbent  
12                  upon someone -- it's likely going to be me -- to contact  
13                  Jim and start asking some of these questions and see if  
14                  he would provide us more detail in a written format, if  
15                  that would be -- if be open to that.

16                  MS. SEGAL:    Would asking Jim to come back  
17                  to us or the kinds of -- again, what we're asking for in  
18                  the overall letter, would those kinds of things we're  
19                  asking for be sufficient without the thirty-day  
20                  extension?   How can we get the information by asking for  
21                  it in that comment letter?

22                  FACILITATOR KERN:    I don't know enough  
23                  about this to ask the right questions yet.   I can't  
24                  answer your question, because I don't know enough --

25                  MS. SEGAL:    But I think we have asked the  
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1 question. Okay.

2 MS. NEWTON: What?

3 MS. SEGAL: That's all right. On the  
4 feasibility study, where do we find that? Is that on the  
5 main server?

6 MS. FANELLI: It's on Envirostore, and --  
7 it's on Envirostore, and I can --

8 MS. SEGAL: And it addresses the selenium  
9 issue?

10 MS. FANELLI: It has more of our analysis  
11 in there, yes, because the RAP is the summary at the  
12 bottom. So you can read about --

13 MS. SEGAL: I'm just a little concerned  
14 that if we don't get an extension -- John seems to think  
15 we will. If we ask enough questions -- you have the  
16 right questions to ask.

17 It seems to me asking that portion about  
18 the selenium issue are the same questions that we'd be  
19 asking in the thirty-day extension.

20 FACILITATOR KERN: Well, I totally  
21 understand what you're asking, and this is as good as we  
22 can do in my view right now knowing what we know, this  
23 three-page comment letter.

24 MS. SEGAL: Okay. With the additional

25 comment above.

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1 MR. BERMAN: We can request.

2 FACILITATOR KERN: And I would say that  
3 what John mentioned, if we get the thirty-day comment  
4 period, we can revise our comments if we learn something  
5 additional that we want to say.

6 MS. SEGAL: And, in fact, last night you  
7 asked an individual for the thirty-day extension.

8 FACILITATOR KERN: I did.

9 MS. SEGAL: How did they respond to that?

10 FACILITATOR KERN: It's really up to them.  
11 It's their choice.

12 MS. SEGAL: In their response to comments,  
13 they can say Doug Kern asked for thirty-day extension.

14 FACILITATOR KERN: As John said, it has  
15 been your experience that if you ask for a thirty-day  
16 comment period extension, one of those -- one request,  
17 it's always been granted no matter what the reason.

18 We just need more time.

19 This is a very specific request with a  
20 specific reason, and I'm hoping that they will grant us  
21 the extra time.

22 MR. KETCHAM: So if we don't ask for a  
23 thirty-day extension, the comment letter goes in, DTSC

24 reviews it, they read the part about selenium and they  
25 either say, "Well, we don't care. We're just going to go

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1 ahead, anyway, at 2.0," or they say, "We care. We think  
2 that's a good comment. We're going to change it back to  
3 .5" or they say something else that would be more let's  
4 get more information. Let's get a report. That's a good  
5 point. We need to research it.

6 So the only reason to do the thirty-day  
7 extension is because we'd be worried that they would just  
8 go ahead and say, "Forget it. We're just going with 2.0"  
9 and that would give more time to provide more facts that  
10 might reach a different conclusion.

11 FACILITATOR KERN: I think you've said it  
12 quite precisely. In fact, he said last night that he  
13 felt it was protective.

14 He's their senior toxicologist. That's --  
15 that's the end of the story, unless we're able to have a  
16 discussion with him.

17 MS. SEGAL: But he did offer to have a  
18 discussion, however.

19 FACILITATOR KERN: Sure.

20 MS. FANELLI: And all comments that come  
21 in have to be answered in writing. So you will get  
22 response in writing to all of the questions, and if that

23 means much, they have to actually respond.

24 MR. KETCHAM: Right.

25 MS. FANELLI: So it's not pro forma.

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1 MR. KETCHAM: The thirty days allows for  
2 more of a dialogue, a back and forth, you know,  
3 information, question-answer, question-answer, question-  
4 answer hopefully to reach a conclusion that you can sleep  
5 easier with.

6 MS. NEWTON: And the possibility of doing  
7 what Sam suggested was getting another outside party  
8 involved.

9 MR. BERMAN: Yeah. I think we're loading  
10 Doug with a tremendous amount of work. Doug is  
11 professionally very good, but he's not a bird  
12 toxicologist.

13 MR. BUDROE: He'll get some help on it.

14 FACILITATOR KERN: Julian.

15 MR. HULTGREN: If we get a thirty-day  
16 extension, what effect will that have on the project?  
17 Good or bad or not at all?

18 FACILITATOR KERN: It would actually not  
19 have been my preference at all to -- I mean, the way  
20 we're going, we had our letter underway.

21 Actually, it's my -- it's just my personal



22 opinion, but I thought the document was pretty weak on  
23 explaining the reasons why this should be relaxed, but  
24 last night, now there's some solid technical evidence  
25 that somehow we need to be able to understand that.

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1 So I -- it's not my preference to ask for  
2 it.

3 MR. HULTGREN: Not what effect it would  
4 have.

5 MS. FANELLI: It could have a significant  
6 effect. There's a fair amount of work that has to be  
7 done, and we only have the summertime to do it again in.  
8 We want to make sure we're buttoned up at this point  
9 before October 1st, September 30th.

10 And so the problem that we have scheduling  
11 is we have about -- for the waste identified 60,000 cubic  
12 yards of material to move out of fillsite 1 and landfill  
13 2, and we're moving it out to Pop Hicks.

14 Pop Hicks is scheduled for next year. If  
15 this project goes next year, now I can't do -- I can't do  
16 both. I can't wait waste out to Pop Hicks and repair Pop  
17 Hicks and get Pop Hicks back online.

18 So there are some ramifications in terms of  
19 additional timing and what needs to be done, and they're  
20 not trivial, but that's -- if you look at the schedule,

21           you'll see how they back up with each other.  
22                       MR. KETCHAM:     But that should just provide  
23           more urgency to try to get this issue resolved --  
24                       MS. FANELLI:     Right.  
25                       MR. KETCHAM:     -- quickly.

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1                       MS. FANELLI:     I'm not commenting on your  
2           question at all.  
3                       MR. KETCHAM:     Right.  
4                       MS. FANELLI:     You clearly need to have it  
5           resolved, but delaying from a procedural process does  
6           have an impact, and I can't say it doesn't.  
7                       FACILITATOR KERN:   And I concur. It's not  
8           my preference to delay this.  
9                       MR. HULTGREN:     Would a shorter extension  
10          serve our purposes? Ten days, two weeks?  
11                       FACILITATOR KERN:   Well, if we submit this  
12          tonight, the one thing they could say is thirty days from  
13          now instead of thirty days tacked on the end, and that  
14          would be three weeks.  
15                       I mean, we could do -- we could do a lot.  
16          I'm prepared to try to do some things in the next eight  
17          days -- seven days now if I have to, but I shouldn't have  
18          to.  
19                       I mean, I do have other things that I'm

20 actually responsible for doing. This is something that I  
21 want to meet the time needs of the Trust, absolutely.

22 This is -- this is a cleanup level, people.  
23 This is a cleanup level that is being proposed to be  
24 changed.

25 How many times has that happened in the

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1 sixteen years that we've been together?

2 MS. MONAGHAN: Zero.

3 FACILITATOR KERN: Zero, never. It is not  
4 done. It's a very serious thing, and we should take  
5 it -- and we are taking it very seriously, and the debate  
6 is useful.

7 I appreciate very much all the views that  
8 are being expressed, but this is not something that is  
9 done lightly.

10 So I would like to request that we -- a  
11 motion that we send in our thirty-day comment extension,  
12 and we can see what DTSC has to say about that, and I  
13 would like to see what you have to say about what you  
14 would like to do on this comment letter from the RAB,  
15 whether you'd like to vote on it and join into it or  
16 submit your names individually.

17 What's your preference?

18 MS. SEGAL: Can I ask one comment about

19 the comment letter?

20 FACILITATOR KERN: Of course.

21 MS. SEGAL: The normal one, they changed  
22 it just for this RAB?

23 FACILITATOR KERN: Apparently low.

24 MS. NEWTON: What was that?

25 MS. SEGAL: One of the comments is -- if

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1 you look at the bottom of Jim's thing. What was the --  
2 I'm sorry. The forms. One year of groundwater  
3 monitoring insight maintenance.

4 This is the cost of the RAP, and the  
5 comment letter that the RAB's -- that Doug is suggesting  
6 that we end why is this one-year instead of the usual  
7 three-year.

8 FACILITATOR KERN: We're requesting that  
9 it be three years. The first year is quarterly. The  
10 second year is biannually, and the last year is one.  
11 That is the standard.

12 MS. SEGAL: I just wanted to point that  
13 out.

14 MS. BLUM: I propose we submit the letter  
15 asking for a thirty-day extension.

16 MR. O'HARA: Second.

17 FACILITATOR KERN: It's been moved and  
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18 seconded.

19 Is there any discussion?

20 MR. HULTGREN: Yeah. I probably agree  
21 with the idea of sending the comment letter. I don't  
22 think I can vote for it until I have a chance to look at  
23 the latest revisions, which you tell me modified a lot of  
24 the language that was in there.

25 I haven't -- I'm not about to try to look

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1 at it now. So I can't vote for it.

2 MS. SEGAL: We're voting on the extension  
3 now.

4 MR. HULTGREN: Voting for the extension?  
5 I'm sorry. No problem there.

6 FACILITATOR KERN: Any other discussion on  
7 the extension letter?

8 MR. BERMAN: In the extension letter, you  
9 mention the new information that you just acquired.

10 Do you want to make a remark about hoping  
11 that there will be something more formal than the Power  
12 Point slides?

13 FACILITATOR KERN: I would be happy to add  
14 something like that.

15 Would that meet everyone -- would that  
16 amendment agree -- meet with everyone's approval? John.

17 MR. BUDROE: Just one technical correction  
18 to the suggestion to the thirty-day comment letter. I  
19 strongly suspect that would be Dr. James Polisini.

20 MR. BERMAN: Yes. That was commented.

21 FACILITATOR KERN: So with the amendment  
22 that I add in that we would --

23 MS. SEGAL: I'm not sure -- I don't know  
24 when you ask a formal report. I think he felt that his  
25 Power Point presentation was a report. I don't know if

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1 you want a narrative. I think we're asking for  
2 discussion.

3 MS. MONAGHAN: I think we're asking for a  
4 narrative and peer review.

5 FACILITATOR KERN: I think that needs to  
6 be a separate item.

7 MS. MONAGHAN: Okay.

8 FACILITATOR KERN: We need to ask for a  
9 comment period extension in this.

10 MS. SEGAL: I'm not pushing it.

11 FACILITATOR KERN: Right. So I've changed  
12 the letter, the comment extension letter to Dr. James  
13 Polisini.

14 Any further discussion? All in favor, say  
15 aye?

16 (Unanimous vote).  
17 FACILITATOR KERN: Opposed? Motion  
18 carries. We'll send the comment extension request.  
19 FACILITATOR KERN: We have about fifteen  
20 seconds remaining of the meeting and we have a letter to  
21 decide what to do.  
22 I want to honor Julian's request that he  
23 needs additional time to review the language.  
24 So how to resolve this?  
25 MR. O'HARA: We can put it online and have

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1 everyone sign in.  
2 MS. SEGAL: It's not changed from what you  
3 sent out.  
4 FACILITATOR KERN: This is it. So that  
5 would be a proposal is that I could -- instead of us  
6 voting, I'll ask you to read this and then give me  
7 your -- your name to add to it in typed form.  
8 MR. BERMAN: But what day?  
9 MS. BLUM: Can I make a suggestion?  
10 FACILITATOR KERN: Yes.  
11 MS. BLUM: That perhaps we take a vote on  
12 the letter now, and Julian could feel free to abstain or  
13 do his vote in a delayed fashion.  
14 FACILITATOR KERN: That's an option.

15 Is that --

16 MR. HULTGREN: I don't think that's much  
17 of an option. If you approve it now, I don't even need  
18 to look at it. You don't need my vote, but go ahead and  
19 do it.

20 FACILITATOR KERN: My preference as always  
21 is to get unanimity.

22 MR. HULTGREN: If everybody has read it  
23 and satisfied with it, go ahead and vote.

24 MS. SEGAL: Let's not sign it  
25 individually. It's going to be from the majority of RAB

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1 members? How do you -- I don't even know how -- signed  
2 by Mark.

3 FACILITATOR KERN: The only addition would  
4 be that if we did vote in some fashion to -- to obtain  
5 Julian's concurrence, even though he hasn't read it, that  
6 perhaps if he reads it and he concurs, the object would  
7 be that at our regularly scheduled RAB meeting, it was  
8 the unanimous vote that this letter be sent. That's what  
9 we would put on.

10 MS. SEGAL: Ah.

11 FACILITATOR KERN: But I want to have him  
12 have a chance to read it.

13 John.



14 MR. CHESTER: You had made the comment  
15 that this information here might change the content of  
16 the letter, or it would just be that we would send this  
17 letter, we would review this.

18 If we needed to send an additional letter,  
19 we'll follow up and we don't miss the opportunity to get  
20 this in now.

21 FACILITATOR KERN: Right.

22 MR. BERMAN: So Julian, how much time do  
23 you think you need?

24 MR. HULTGREN: Well, I'm not going to  
25 spend any time on it, because it isn't going to make any

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1 difference. You won't change anything.

2 MS. NEWTON: Yes, we will.

3 MR. HULTGREN: You're not going to make  
4 any changes.

5 FACILITATOR KERN: Of course I would.

6 MR. HULTGREN: It doesn't matter for me to  
7 do that. Why don't you go ahead and call the vote. You  
8 don't have to have it was unanimous. You can say it was  
9 passed by a majority or something.

10 FACILITATOR KERN: That's not our  
11 tradition. Our tradition is --

12 MR. HULTGREN: Traditions are made to be  
Page 83

13 broken.

14 FACILITATOR KERN: It's to seek unanimity  
15 if possible.

16 MR. HULTGREN: I think you sent a letter  
17 out over everybody's signature and that implied it was  
18 from the RAB and you did not get everybody's concurrence  
19 in that, and I'm still thinking that was not very  
20 democratic.

21 I wasn't even apprised of what you were  
22 doing, and I think there are probably some others on the  
23 RAB who are in the same condition.

24 So all I'm saying is unanimity is made to  
25 be broken.

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1 FACILITATOR KERN: I'll --

2 MS. SEGAL: The comment period is still  
3 ongoing, so what kind of time would we need to revise  
4 this letter to get it in by the comment period?

5 FACILITATOR KERN: We have time. We have  
6 time. It's due on the 1st, so we have time.

7 MR. HULTGREN: I think you ought to vote  
8 on it and get it ready to go.

9 MR. BERMAN. I'll vote for it, anyway, so  
10 go ahead.

11 MR. CHESTER: Can we approve this letter  
Page 84

12 outside of agreeing to send it now? Can we take three  
13 days to review it by e-mail?

14 FACILITATOR KERN: We absolutely can do  
15 that. We can approve the letter and accept additional  
16 changes that would be circulated to everyone. I would  
17 entertain such a motion on this letter.

18 MR. CALLANAN: So moved.

19 MR. BERMAN: I move that we accept this  
20 letter in its provisional form as of today, but we wait  
21 until Friday to send it out and that all comments would  
22 be considered from RAB members, and if there were  
23 substantial revisions, that a revised version would be  
24 sent out for approval.

25 MR. HULTGREN: I second.

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1 FACILITATOR KERN: It's been moved and  
2 seconded that we send this out provisionally on Friday  
3 and that there would be --

4 MR. BERMAN: No. Send it out today and  
5 that all comments would be collected and revised -- any  
6 substantial comments would be provided by Friday.

7 MS. NEWTON: So the comments should be in  
8 prior to Friday.

9 MS. SEGAL: Can you say that again? Can  
10 we approve it provisionally today and then send it out

11 Friday? What's wrong with that scenario?  
12 MS. NEWTON: Yeah.  
13 MR. BUDROE: I think that's what he said.  
14 FACILITATOR KERN: That's what he said.  
15 MS. SEGAL: All right.  
16 FACILITATOR KERN: It's being moved.  
17 Is there any discussion? All in favor, say  
18 aye? Aye. Opposed?  
19 MR. O'HARA: I oppose.  
20 FACILITATOR KERN: Fair enough. There  
21 have been twelve votes for and one vote against. Sending  
22 out the letter. Motion carries.  
23 So I will accept your comments through  
24 Friday and then we'll send what we have.  
25 MR. BERMAN: Could I ask Peter why your

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1 vote?  
2 MR. O'HARA: I think this is getting too  
3 complicated, and there's a letter here that defines and  
4 best describes the position of the board, and my  
5 understanding is that we are provisionally approving it  
6 subject to change, and it will then go out on Friday with  
7 changes that are substantive changes that have been  
8 approved.  
9 So why are we approving the letter tonight?

10 That's -- I don't really understand that.

11 MS. NEWTON: Because if there are no  
12 changes, then it will just being out.

13 MR. BUDROE: Yeah. There's no guarantee  
14 of substantive changes.

15 MR. O'HARA: And will the document that  
16 goes out on Friday be accepted by everybody? You know,  
17 we're wasting a hell of a lot of time here.

18 It's -- are we going to make these changes,  
19 these comments or aren't we? And I understand and I  
20 respect Julian's position, but my sense is that Julian is  
21 the only individual here that has got a problem with it,  
22 and if we voted on it and you chose to vote no as I've  
23 done or voted to abstain, then that's okay.

24 I just don't want to -- to see it in a  
25 position to getting down to Friday and being in the

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1 position we are right now. It seems to me that we're  
2 wasting tremendous amount of time, and I just as soon  
3 send the letter out today.

4 Does that answer your question?

5 MR. BERMAN: It does, but I think it's  
6 somewhat discourteous to Julian. He's got a legitimate  
7 concern.

8 FACILITATOR KERN: Let's wrap our meeting.

4-13-10 RAB Meeting.TXT

9 I want to suggest tonight that this is a difficult issue  
10 and your participation has been greatly valued and that  
11 you came out tonight and we have a new board member with  
12 us.

13 I want to thank everyone, and without  
14 objection to the few items remaining on this, Agnes, do  
15 you have anything at all?

16 MS. FARRES: No.

17 FACILITATOR KERN: Thank you very much.  
18 Without objection, meeting adjourned.

19 (The meeting concluded at 9:10 PM).

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1 STATE OF CALIFORNIA )

2 COUNTY OF SAN FRANCISCO )

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I, the undersigned, hereby certify that the  
discussion in the foregoing meeting was taken at the time  
and place therein stated; that the foregoing is a full,  
true and complete record of said matter.

4-13-10 RAB Meeting.TXT

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing meeting and caption named, or in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have  
hereunto set my hand this  
\_\_\_\_\_day of \_\_\_\_\_,  
2010.

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Mark I. Brickman CSR 5527

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

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REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, MAY 11, 2010  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

ATTENDEES

RAB Members:  
Doug Kern, Facilitator  
Mark Youngkin  
Eileen Fanelli  
Brian Ullensvang  
Agnes Farres  
Michael Beck  
Tania Pollak  
Peter O'Hara  
Jan Blum  
Sara Segal  
Julie Cheever  
Sam Berman  
John Budroe  
Edward Callanan  
John Chester  
Gloria Gee  
Jerry Dodson  
Julian Hultgren

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BE IT REMEMBERED that, pursuant to Notice of  
the Meeting, and on May 11, 2010, at the Officer's Club,  
Building 50, Presidio of San Francisco, California,  
before me, MARK I. BRICKMAN, CSR No. 5527, State of  
California, there commenced a RAB meeting under the  
provisions of the Presidio Trust.

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Presidio RAB Meeting.txt

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FACILITATOR KERN: Welcome to the regularly scheduled meeting of the Presidio Restoration Advisory Board for May 2010.  
I'd like to welcome the Trust, National Park Service, the regulators and community members of the RAB here tonight. Thanks for coming out.  
Does anyone need an agenda? Agenda's over on the table if you need one.  
Are there any changes or additions?  
I understand there was a meeting regarding the Merchant Road fill today. We might have a comment on how that went.  
MS. FANELLI: I was not present.  
FACILITATOR KERN: I wasn't, either.  
Merchant Road fill, we can add if that's okay with everyone at 5C.  
Any other changes? All right. Going on to item 3, announcements and old business. We have there -- any announcements, first of all? No announcements.  
We have under old business, landfill 8 and 10 status report.  
MS. FANELLI: Okay. I have couple of photos for you. So these are all photos. Basically at this point in time, we are substantially completed at

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landfill 8. The cover's placed and we are on punch list items, and preparing documents certifying the three feet of cover so that the landfill can be planted as soon as possible.  
So this is a -- these are sort of in-progress pictures, sand being placed. You can see some of the general dune formation there, so that's all sand.  
We're looking for Nike area to southwest.  
You can see the PHS hospital site in the background.  
You can see the geotubes going in and the

11 sand being placed. You can see the retaining structures  
12 being constructed.

13 So those are all at the point in the area  
14 covered with sand. You can actually not even really see  
15 the retaining structures, but their functionality is  
16 still there.

17 So they're keeping a lot of sand that's not  
18 in the geotubes from sloughing into the backyard, so it's  
19 giving it stability, but giving a loose upper inch or two  
20 of sand, and then the two foot of sand behind the  
21 retaining structures for the habitat so that plants, the  
22 coastal scrub, lyssingia can reestablish itself. So that  
23 work is done.

24 On landfill 10, we're basically almost  
25 complete on the top deck. We're still winterized and

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1 waiting for dryer conditions to work on the slope, but on  
2 the top, these are just some of the planning  
3 improvements. These are not even some of the items that  
4 are here. But the walkways across to the new building.

5 There's a picture of southern end of the  
6 landfill, and you can see that it's been hydroseeded in  
7 this picture. That's part of the plans. You can see  
8 some of the trees that were planted.

9 Those are the light standards. Those again  
10 are planning activity and there's no bulbs on the top,  
11 and I think planning is changing their mind on the bulbs.

12 So I'm not sure when the bulbs will be put  
13 back on top, but the actual light fixtures, that's what  
14 that is.

15 That's a picture down the slope. A portion  
16 of that area has been planted by the Park Service, and  
17 here's a mulch area. It's not a hydroseeded area, but  
18 again there's trees planted there and mulch.

19 So we're pretty much complete on dates on  
20 10.

21 So on 8, we're waiting to plant irrigate.  
22 GA9, I don't have any photographs. I really have a  
23 larger sample item.

24 We're revising the grading area because we  
25 have a cover and we're looking to put cover sand on that

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1 site, not until after August 1st after bird nesting  
2 season, primarily because there is vegetation that needs  
3 to be removed, and when the new bird nesting season is  
4 over, that's likely not going to happen.

5 And we can get the cover placed after that  
6 time. So we're not going to try to invest in getting  
7 done before then.

8 On the top deck, we have the MUT trail  
9 still to complete and a little bit of cover soil by the  
10 overlook. Otherwise, it's -- the top is pretty much  
11 done.

12 We have slope repairs still to complete.  
13 We have prepared and submitted the hydraulic analysis for  
14 the landfill 10 corridor.

15 We're working with Park Service on design  
16 to handle flows calculated, and we're looking to  
17 construct the storm water controls along the north  
18 landfill area once we have the agreement of the design,  
19 and we're working with all parties with the design, and  
20 that's likely going to happen in summer, the slope  
21 repair.

22 So that's basically the update.  
23 This was just what we agreed to talk about  
24 at your next planning meeting. So we'll be prepared to  
25 talk about that, and that's where we are in terms of

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1 grading of fill site.

2 So if there's any questions on PHS.

3 MR. BERMAN: Just a couple questions on 8  
4 and 10.

5 MS. FANELLI: Mm-hmm.

6 MR. BERMAN: Was that all local sand?

7 MS. FANELLI: It was all sand that had  
8 been stockpiled at graded area 9, and the source of that  
9 sand was Golden Gate Park originally.

10 MR. BERMAN: So none of that came from  
11 onsite. It was all brought in?

12 MS. FANELLI: None of it really came from  
13 elsewhere.

14 MR. BERMAN: And 10, does the storm  
15 drainage go into the City sewer system?

16 MS. FANELLI: Yes. So the Public Health  
17 Services Hospital is covered under the City's permit, and  
18 it's a combined system and it discharges to pipes through  
19 the 14th Avenue gate down to Lake Street.

20 MR. BERMAN: So the Trust is then  
21 responsible for the connection?

22 MS. FANELLI: Right. That was done as a  
23 separate project. There was a little bit of utility work  
24 that we did in 10, but the overall utility -- on just the  
25 parking lot, I should say.

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1 But the overall utilities were part of the  
2 separate Trust project, a backbone utilities project that  
3 included stormwater, electrical and all sorts of other  
4 designs.

5 MR. BERMAN: That connection, was it in  
6 place during the heavy rains that we had in the fall?

7 MS. FANELLI: The connection for the  
8 majority of the site -- not for landfill 10 -- wasn't  
9 finished.

10 I forget the exact date that we got  
11 landfill 10 hooked up. It was sometime in -- I think in  
12 late January time frame, but I don't know the exact date.  
13 I'd have to look it up.

14 MR. BERMAN: The only reason I'm asking is  
15 that was an unusually heavy and sudden downpour.

16 MS. FANELLI: Yes.

17 MR. BERMAN: And it caused a certain  
18 amount of problem with drainage, and I'm just wondering  
19 whether that might have been anticipated as a problem in  
20 the landfill 10 drainage.

21 MS. FANELLI: The storm drain as installed  
22 actually functioned properly.

23 I think in January where we were at, we  
24 didn't have pavement yet completed on the top deck and we  
25 had other issues associated with that and controlling the

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1 site because it wasn't at final grades.

2 Since then, all of the storm drains on the  
3 top deck have been working as designed.

4 MS. CHEEVER: I want to make sure that I  
5 understood about the timing. When it says "scheduled for  
6 late May and June," is that just the repair toward the

landfill and the bottom or is that the repair and the planting? In other words --

MS. FANELLI: It's the repair and the planting. If we can get all of the repairs completed by mid-June, then our intention is to plant the rest of the slope, facilitate the Park Service who is planting it. That's what our goal is.

If for some reason it's too wet and we can't get it, the plants will be held and they will be planted in the fall.

MS. CHEEVER: Okay. Also on that site, it says: "Hydraulic analysis completed, final storm waters control."

Does that refer to the same thing, establishing the stormwater controls along the north of the landfill toe?

MS. FANELLI: Right. The hydraulic analysis focused on the north. That's been complete, actually. So it is a little misleading, my sign. It's

not clear, but from that, we'll do the design, and once there's approval, we'll construct it.

MS. CHEEVER: In late May and June?

MS. FANELLI: Probably not till June on that, yeah.

MS. CHEEVER: That part -- so some of the gullies would be repaired in late May, but the part of the north toe would not be done till June?

MS. FANELLI: The slope we're hoping to have all repaired by mid-June. The stormwater -- final stormwater controls at the toe, I would them like completed by June.

It will be dependent upon us getting an approved design to handle those flows. So it will be a little bit later.

MS. CHEEVER: I'm also wondering -- maybe Brian would answer this. How are the plants that have been done on 35th Avenue doing? Sometimes I go there and there's a very strong wind.

MR. ULLENSVANG: And everyone expected them in there, and I asked Lew that question particularly because I wanted to get first-hand information.

He reported that they're doing very well.

MS. CHEEVER: Mm-hmm.

MR. ULLENSVANG: For any of these

projects, there's a certain amount of die-off, but he said that they're doing well. He seemed very happy with it.

MS. CHEEVER: Thank you.

MR. CHESTER: On the top side of landfill 10, all of the stormwater gets drained -- all the water that flows on the pavement gets drained to the sewage system?

MS. FANELLI: It goes to our BMPs, which are earthen swales, basically, and on a certain level, whatever doesn't infiltrate it, there are vegetative swales on the top deck.

It goes into top inlets. So this is the top of the swale, for example, so all stormwater goes into the dirt area.

They're inter-connected, and at the far corners, there's atriiums slightly elevated, and at a

18 certain point in time, that water will come up and flood  
19 into the atrium.

20 Otherwise, it infiltrates, and ultimately  
21 there's storm drains at the base of the soils.

22 MR. CHESTER: Because the landfill is  
23 below that. It's infiltrating --

24 MS. FANELLI: The BMPs are lined with  
25 fabric. They're impermeable to water. What soaks in,

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1 soaks in ultimately will hit a gravel lined pipe and will  
2 go out to the sanitary system. What doesn't infiltrate  
3 will build up and then flow directly into the atriums.

4 MR. CHESTER: And the atriums go --

5 MS. FANELLI: To the sanitary. It's all  
6 connected.

7 MR. CHESTER: And the geotubes, can  
8 you -- can you quickly elaborate? What are they? I kind  
9 oversaw them, but are they just those --

10 MS. FANELLI: I didn't bring a cut sheet,  
11 but they are also, I believe, HTP. They are a plastic  
12 material. They open up like an egg carton. They are  
13 open on the top on the bottom and they have holes in the  
14 side.

15 So they are free draining plastic mesh, and  
16 they are stretched in place on the ground in a horizontal  
17 position. Sand is then placed to fill them, and the sand  
18 can be placed wet or dry.

19 They're shaken a little bit because the  
20 land -- a little compacted, but they're not formally  
21 compacted and they provide the horizontal support for the  
22 material. So it's basically a retaining wall of  
23 material.

24 MR. CHESTER: Okay.

25 FACILITATOR KERN: When repairs for

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1 landfill 10 slope go in, what are -- what's the thinking  
2 for how that will be done?

3 MS. FANELLI: The areas that are damaged  
4 will be -- you know, they're fairly linear features.  
5 They will be -- make sort of a clean cut on the sides,  
6 and then the material will be reworked in eight inch  
7 lifts just as the specs as outlined for the rest of the  
8 slope and rebuilt up, and this will be CEQA outlines in  
9 the specs.

10 They will be replaced and compacted to the  
11 specifications.

12 FACILITATOR KERN: Thank you.

13 Any other questions about 8 and 10?

14 MR. YOUNGKIN: In this picture here, is  
15 there a drainage that's going to be there or is that  
16 going to be all concrete on top?

17 MS. FANELLI: It's now a solid sand wall  
18 again. As I said, you can barely see -- you cannot see  
19 the boards. There's about an inch of sand on top of it.

20 MR. YOUNGKIN: And up on top --

21 MS. FANELLI: The sand dune is the top of  
22 the landfill, basically. It's sand pretty much flat all  
23 the way across.

24 MR. YOUNGKIN: So there's no water flow  
25 this way anymore? It's all redirected somewhere else?

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1 MS. FANELLI: The water that flowed this  
2 way was because of how the contractor at the time was

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3 storing stormwater.

4 There's separate hydraulic analysis for  
5 this site. It does not get flows that cause this problem  
6 in the first place. It was really an artifact of the  
7 contractor's operations.

8 So we're still -- a little bit of water  
9 flows this way, but it's not like there's a lake that --  
10 it's not a drainage shell.

11 MR. YOUNGKIN: Okay. Thank you.

12 FACILITATOR KERN: Anything else on 8 and

13 10?

14 Thank you.

15 MS. FANELLI: You're welcome.

16 FACILITATOR KERN: Moving on to committee

17 business.

18 Any report?

19 MR. YOUNGKIN: We had our Planning  
20 Committee on April 27th, the fourth Tuesday of the month  
21 in building 67. We pretty much covered the same topics  
22 we're going to be looking at tonight.

23 We started off with an update on landfill 8  
24 construction. We had a discussion on the Building Code  
25 7208, excavation that kicked off a couple weeks ago. I

0016 1 want to hear more about that later on tonight, too.

2 We discussed the landfill 2 RAB comment  
3 letter and selenium studies and we're going to hear more  
4 about that tonight, too.

5 And Julian gave us a little talk about his  
6 draft committee proposal and he's going to talk about  
7 that a little bit later on, too, and we had a discussion  
8 about these mini technical workshops for the Planning  
9 Committees and we're going to try those out on the May  
10 committee meeting, the fourth Tuesday, construction plans  
11 for landfill 2 and fillsite 1 and investigation of  
12 landfill E. So we'll get a little hands-on look at  
13 those.

14 And that's it. Fourth Tuesday every month.  
15 See you there.

16 FACILITATOR KERN: Thanks, Mark.

17 Any questions for Mark?

18 Moving on to item 5 and building 207/208  
19 remedial excavation.

20 MS. FANELLI: It has my name, but I want  
21 to introduce Michael Beck to you. Michael Beck's with  
22 amec, formally Geometrics. If I say Geometrics, you know  
23 why. And Mike's been working with us for a long time on  
24 several times. He's going to do the presentation.

25 MR. BECK: Thank you, Eileen.

0017 1 I want to just give a little bit of  
2 background on sites 207/208 and make sure everybody's up  
3 to speed on that, and then like Eileen said, we're doing  
4 excavation work right now, so I've got some photos and  
5 can describe what we've done so far and what our planning  
6 plan is for moving forward.

7 So the 207 RU is located on the corner of  
8 Mason Street and Halleck. Crissy Field Marsh would be  
9 above this picture, and the 207 RU is a former gas  
10 station that was decommissioned by the Army.

11 A couple underground storage tanks that  
12 stored gasoline were removed by the Army in '96. There  
13 was an overexcavation project in '99 also performed by

14 the Army, and unfortunately, they were cleaning up to a  
15 different set of cleanup levels than we use today and  
16 they really didn't do a very good job with our  
17 confirmation sampling, so there's remediation that was  
18 left in place.

19 And so -- but the 207 RU is actually part  
20 of a bigger site called the 207/231 site, and there was a  
21 corrective action plan prepared in October of 2007 and a  
22 subsequent Remedial Action Workplan that outlined  
23 excavation areas in five or six different remedial units.

24 The 207 was the smaller. 208, forget about  
25 that. Just because it's small. It's the small box to

0018 1 the south of 207, which is from a carwash sump, and we  
2 have just one data point that says there's additional  
3 impacts there and we're going to take care of that as  
4 part of the effort that's ongoing.

5 But there's the 38 -- building 38 garage to  
6 the east which we're not working on at this moment, and  
7 then a couple larger remedial units that's the big  
8 excavation area there, 231 area, which is the former  
9 service station that had underground storage tanks and  
10 hydraulic lift that were pulled out, and to the south,  
11 you can just see building 228 which had some underground  
12 storage tanks that were next to a historic retaining  
13 wall, and that is -- we got involved in this project.

14 Eileen asked us to refine the remedial  
15 alternative for that retaining wall area, which was in  
16 situ chemical activation, and it's a difficult area to  
17 excavate.

18 There's free product nearby and the cap  
19 work plan called for injection of chemical oxidants, and  
20 we're working on that with Eileen.

21 But while we were working on this,  
22 Caltrans' Doyle Drive project started heating up and we  
23 learned more about the overall land uses for the -- for  
24 the site, and I wanted to -- actually, I brought a couple  
25 copies of that that I can hand out. It's kind of hard to

0019 1 see on the slides.

2 MS. FANELLI: Is that focused? If not,  
3 I'll try to refocus it a little bit.

4 I'd like to point out that Tania Pollak  
5 with the Trust Natural Resources -- this marsh is her  
6 specific responsibility, so if there's some specific  
7 questions about the marsh, we actually have another Trust  
8 person.

9 MS. POLLAK: I'm actually sneaking in here  
10 and sitting quietly.

11 MR. BECK: So the future land use claim  
12 area, the obvious features that are shown is the new or  
13 future alignment of Doyle Drive, which is south of the  
14 current alignment, and at grade across the marsh which  
15 I'll talk about and then heading into the tunnel to the  
16 west.

17 And then Halleck Street, which is the north  
18 of trending line on the west side of the photo. It's  
19 actually going to the east of where it is now, so that's  
20 shifting to the east towards the marsh and the main  
21 feature, of course, is the marsh area all the Quarter  
22 Master's Reach, and my understanding is this is -- Tania,  
23 you can talk about how final final is, but my  
24 understanding is the latest thinking regarding actually

25 where the latest channel will go through, and there are  
0020 1 elevation contours that we might consider as part of our  
2 work, as well.

3 So did you have anything to add?  
4 MS. POLLAK: This is a representation of  
5 our preferred alternative. We are going through an EA  
6 process. We're working on completing a draft for public  
7 review that should hopefully come out early June.

8 So this is our preferred alternative.  
9 There are two other alternatives in the EA. I can talk  
10 to whoever wants to get into that, but this is a pretty  
11 defined representation of our preferred alternative.

12 MR. BECK: Okay. So now that you guys  
13 have that in front of you, I overlapped the different  
14 remedial unit excavations on top of it, and it's  
15 interesting.

16 The 207 remedial unit, which was originally  
17 thought to be within the marsh, is actually mostly  
18 outside of the marsh, which was different than the design  
19 plans and documents had anticipated, and I guess the most  
20 important thing is what we found out a few months ago.

21 As the plans for the Doyle Drive  
22 construction project became more clear, there is --  
23 Caltrans is planning to construct a bypass on the north  
24 side of the above-ground Doyle Drive structure, so just  
25 south of Mason Street.

0021 1 That is -- construction of that is going to  
2 begin as early as June 1st, and that is where Highway 101  
3 traffic will be until approximately 2015 or something  
4 like that.

5 So I forget the timing on this, but it  
6 wasn't very long ago we learned that if we're going to go  
7 after the 207 RU before 2010, it's got to be now and it  
8 had to be done fairly quickly.

9 So what Eileen asked me to do is go out to  
10 the 207/208 -- we didn't do 208, but go back up to 207  
11 and find out what the extent of the contamination really  
12 was.

13 There had been some assumptions in the  
14 plan. The main thing we were looking for was the  
15 presence of, you know, heavy contamination or free  
16 product around the fringes in the areas where we can't  
17 really readily dig.

18 We only have a month or two to do the  
19 project. We can't go into Mason Street in that time  
20 frame. We can't go into Halleck Street. We can't go  
21 into Doyle Drive, so the question was how bad is the  
22 contamination? Would we be able to get it all during,  
23 you know, a short time frame?

24 And so we went out and put in a series of  
25 borings, and what we found is -- we did find a little

0022 1 free product, mostly just a sheen in the center of this  
2 little courtyard, if you will, but nothing along the  
3 fringes that scared us to the point where we thought that  
4 we'd be risking, you know, recontamination of whatever  
5 fill that needs to be replaced when we're done.

6 So at that time, it kind of became clear  
7 that this is something that we could accomplish, and so  
8 we -- so on -- it was, I think, April 19th, we issued a  
9 Notice of Intent to implement a portion of the cap work



plan.

Again, we carved out the part that went into the 207/208 work, and shortly thereafter, began excavating, and the photo on the left-hand side is taken towards the northwest.

So the sidewall towards the Golden Gate Bridge the Mason Street, and on the left-hand side of the photo is up against Halleck Street, and we wound up excavating pretty close to the edge of the -- both of those streets and then sloped off at a one and a half to one angle so that we didn't risk any damage to the road or the pedestrian area.

So we've excavated approximately 3,000 cubic yards of contaminated soil over the last few weeks, and we've also removed 600 cubic yards of LTDD soil, formerly placed soil that was placed as backfill by the

Army. It was done at several sites in the Presidio.

There wasn't proper documentation for this particular batch of LTDD soil, so we sampled it and found that it is essentially clean and the Water Board has given us approval to reuse it.

So we removed the LTDD material, stockpiled it for reuse and then we removed all the backfill material from the Army's excavation and the material that they forgot underneath it, and -- so that's been -- that's ongoing, and if you can't get a sense of it from this photo, there are a lot of features that we encountered.

Concrete slabs from the old service plan, piles that were holding the buildings up and several old storm drain pipes which were plugged, part of it wasn't and part of it was.

MR. BERMAN: Mike, just a quick question.

MR. BECK: Sure.

MR. BERMAN: The COC's primarily petroleum related?

MR. BECK: It's in the gas phase. COC compounds and also MBE was also present at the site. That's what we're chasing.

MR. BERMAN: Given the long timespan that that service station was in use and the mobility of some

of those products, were you surprised that there was nothing on the edge?

MR. BECK: Not completely surprised because the edge -- edges we're talking about -- the west of Halleck, which is kind of side draining.

To the north, where Mason Street is, they had done a subsequent excavation, additional work there and south of upgradient.

So surprised? We didn't exactly know what to expect, but it appears that the edges of the contamination are pretty closely related to the street, which is not normally the case, but in this case, it was.

MR. BERMAN: So is that luck, then?

MR. BECK: I don't know.

MS. SEGAL: I want to ask a question. I'm geographically challenged here --

MR. BECK: Yeah.

MS. SEGAL: -- but the daylighting at Tennessee Hollow, is that below -- is that at the bottom of the picture?

21 MR. BECK: Yeah.  
22 MS. SEGAL: Okay. So that the nurse's  
23 building or whatever that is?  
24 MR. BECK: There's a treat there now that  
25 goes into a storm drainpipe and into the bay. That plan  
0025  
1 would replace that. It would turn it into an above grade  
2 drain. It would go underneath at grade Doyle Drive.  
3 MS. FANELLI: I just wanted to respond to  
4 Sam. The Army had done two stages of excavation -- two  
5 stages of excavation. So we were really going after  
6 their residual contamination.  
7 MR. BECK: And there are some impacts.  
8 We're just starting to get the data back. I'll talk  
9 about that in a minute, but there are some elevated  
10 concentrations of petroleum hydrocarbons on Mason Street  
11 and a little more so under Doyle Drive which we can't get  
12 at right now, but, you know, with the -- the major  
13 impacts were near the gas station or around the fringes,  
14 and we're confident that we're not going to have  
15 recontamination like they did, because they left so much  
16 in place, they essentially recontaminated all their  
17 backfill material and we had to start over.  
18 Now we've kind of got some residual stuff  
19 around the edges and we'll evaluate how to deal with that  
20 when all the data comes in.  
21 MR. BERMAN: So the Army actually never  
22 sampled after they did their backfill?  
23 MR. BECK: They didn't do any floor  
24 sampling, and we went up to six feet deeper than they  
25 did.

0026  
1 In their defense, they weren't going for  
2 the same cleanup levels we are. We have an extremely low  
3 cleanup levels for gasoline, eleven parts per million,  
4 which is at least in order of magnitude lower than we  
5 would be, but they're in a saltwater protection zone, and  
6 they were thinking human health at that time.  
7 But it's interesting they didn't collect  
8 any floor samples. You can smell gasoline. It's strange  
9 that it was done that way.  
10 MR. CHESTER: Is the driver the benzene,  
11 the MTBE or the BTEX?  
12 MR. BECK: They're generally located.  
13 Generally you get the whole suite, but we're finding some  
14 confirmation samples, some will get benzene and some will  
15 get MTBE.  
16 We're around the fringes. In the center,  
17 you had all three. That's what we were finding when we  
18 collected the samples in the heart, that that's what we  
19 found.  
20 MR. CHESTER: MTBE is very mobile. It  
21 moves faster than water.  
22 MR. BECK: Both TPH and MTBE were detected  
23 in the groundwater in the vicinity of the gas station,  
24 but the work that the Trust had done on the north side of  
25 Mason Street, none of the petroleum compounds were

0027  
1 detected during that work, and there will be monitoring  
2 wells installed after we're finished to track it both on  
3 the Marsh side -- both Marsh side and the Quartermaster  
4 Reach side, but MTBE can be mobile, but in this case, it  
5 didn't appear to be, at least. And it should get better.

6 MR. CHESTER: So Mason acts as kind of a  
7 barrier?

8 MR. BECK: I don't think it's Mason. In  
9 this case, it's flowing, yeah.

10 MR. CHESTER: All right.

11 MR. BECK: One of the things that we did  
12 which should help the situation in the future is we  
13 wanted to put in a really aggressive dewatering system.

14 You may have noticed the excavation is  
15 generally twelve and a half feet below ground surface,  
16 but six feet below the water table.

17 When we were pumping the water out, it  
18 wasn't flowing in readily. If it were a sandy area,  
19 we never could have done this, but it was impermeable  
20 enough so we could draw down the water table, and we  
21 pulled out 300,000 gallons of water.

22 That's about two pore volumes of the soil  
23 that was in place there. That should go a long ways  
24 towards improving the groundwater conditions at this  
25 site.

0028 1 We won't know till it fills back up with  
2 water, and that may take sometime, but that water was run  
3 through the filter and discharged in a permit to the  
4 sanitary sewer.

5 MR. ULLENSVANG: Did you look at the  
6 groundwater, the groundwater levels around there? Did  
7 you map the adjacent groundwater levels to see how the  
8 influence was?

9 MR. BECK: No, I didn't.

10 MR. ULLENSVANG: Do you know if the  
11 transponder is still in the wells?

12 MR. BECK: I don't know.

13 MS. FANELLI: I don't think so. From the  
14 Doyle work?

15 MR. ULLENSVANG: No. From the Trust work.

16 MS. FANELLI: No, not that I'm aware of.

17 There were transponders that Doyle had been  
18 doing some tests, we had some drawdown data. Not by  
19 here. Closer over towards 365.

20 MR. O'HARA: Is any of this reimbursable?

21 MS. FANELLI: This is a remunerated site.  
22 It's not an unknown contamination. It was known when we  
23 took over responsibility, but it is a known site under  
24 our policy with Zurich, our RSL policy. It's allowable  
25 as a remedial cost with them.

0029 1 MR. BECK: So the soil is characterized as  
2 non-hazardous waste, and this is a 3,000 -- it was 3,000,  
3 what did I say? 3,000 yards, and it's going to the  
4 Altamont disposal facility in Livermore and the facility  
5 in Vacaville.

6 Amec was onsite full-time during the work,  
7 and the good thing about a gasoline release is that PID  
8 does a really good job of mapping out the contamination.

9 We didn't have time for multiple  
10 iterations, so we followed it, and if we were getting  
11 detectible levels on the PID, we kept going.

12 FACILITATOR KERN: Can you explain PID?

13 MR. BECK: It's a photo ionization  
14 detector and it detects volatile organic compounds, and  
15 gasoline is very volatile and easily detected by the  
16 dectector.

17 The photo on the left-hand side is one of  
18 our technicians with a PID waving it near the ground in a  
19 closed space and you get a sense of how much organic  
20 vapors are present, and gasoline generally, if you do a  
21 good job of screening, you're going to know -- when you  
22 have low cleanup levels like we do, if we're detecting it  
23 with PID, we're going to have a hit so we keep going.

24 And generally when we've gone to the point  
25 where we get non-detect on our handheld instruments, the

0030 1 laboratory comes back with levels that are either at or  
2 below our detect levels.

3 MR. BERMAN: Does the PID actually ionize  
4 a little bit of the air and --

5 MR. BECK: Yeah. That's how it works. It  
6 knocks the electrons off the organic vapors so that's how  
7 it's reading the voltage.

8 MR. BERMAN: Like a small arc.

9 MR. BECK: Yeah. That's exactly how it  
10 works, yeah.

11 This is not actually a licensed surveyor.  
12 They're doing grade checking here in this case, but we  
13 will have a licensed surveyor.

14 We have had a licensed survey at the bottom  
15 of the area and we have documentation of that, and  
16 situations where we have residual contamination, we'll  
17 have record of exactly where it is so we can get it with  
18 no major effort.

19 So the biggest difference between our plan  
20 and the original cap work plan is the backfilling plan.

21 As I mentioned, the cap work plan had  
22 anticipated that the 207 RU would be in the marsh, and so  
23 the plan was to backfill completely with a natural sand,  
24 and in our case, we now need to think about the fact that  
25 Highway 101 is going to be coming over our site, so we

0031 1 need to build something that is structural.

2 And so on the -- what we've done is on the  
3 western portion of the excavation -- and I'm not exactly  
4 focused. The focus -- the new Halleck Street will be  
5 aligned here, and everything in green is within the  
6 extent of future Quartermaster's Reach.

7 And so ideally you would backfill an  
8 excavation that goes below the water table that you want  
9 to build on with something that's very granular like a  
10 grain rock. That's not ideal for a marsh.

11 What we're doing is we're doing the grain  
12 rock as much as possible under Halleck, and above that  
13 would be the LTTD material that I mentioned earlier, and  
14 whatever sand we need to look out for.

15 And then on the -- within the marsh and  
16 within a buffer zone adjacent to the marsh is the natural  
17 sand material, and we use -- below the water table, we'll  
18 have fewer finds, so we can impact it structurally in the  
19 area and it will hold up to the traffic, and above the  
20 water table, it will be just a normal sand.

21 That's different than what we had  
22 originally and we had talked about that with the Water  
23 Board and they are comfortable with that plan, and so  
24 that's how we plan to backfill the excavation.

25 MR. BERMAN: So does that require some

0032 1 coordination with Caltrans in order to make sure that

2 the -- whatever they do there is -- they know what  
3 they're digging in to?

4 MR. BECK: To answer your question, we didn't  
5 coordinate with Caltrans. We just built something that  
6 was prudent with the knowledge that they will not be  
7 digging for their -- for their freeway. They're actually  
8 building on top.

9 So we're being a bit conservative by making  
10 sure that it's as hard as it is, but as long as we're  
11 backfilling, we might as well backfill something that  
12 will be structurally confident, and they may have been  
13 able to overcome our issue, but this will make a lot more  
14 sense.

15 MS. FANELLI: We have been coordinating  
16 with Caltrans just to get out here. The June 1 date that  
17 Mike mentioned was actually a negotiated delay date for  
18 us to have access to the site. Where their contractors  
19 actually had planned to be using it.

20 So we have been coordinating with them to  
21 have access here, and they've actually been supportive  
22 and understanding to allow us to get this done.

23 MR. BERMAN: So that piece of Highway 101  
24 that's going to be temporary, it's not supported. It's  
25 just built up with a giant landfill underneath it? Is

0033 1 that the idea?

2 MR. BECK: Yeah. They're going to place  
3 several feet of fill. When you have that much traffic,  
4 you wouldn't want it to be right at grade.

5 It needs to be elevated just for safety,  
6 among other things, and they're going to bring in some  
7 fill and move the roadway through and it's going to be  
8 quite an operation, and that's where we'll all be driving  
9 when we go through that part of the world for several  
10 years till the tunnel and the rest of the structure is  
11 done.

12 And then after that's done, they'll take  
13 down the elevated Doyle Drive structure that we see out  
14 there as they are beginning their at grade works, and  
15 they have to build the Quartermaster's Reach and the  
16 bridging and all those things.

17 MS. CHEEVER: Is the Quartermaster's Reach  
18 going to be an extension of the marsh and it's going to  
19 be under Mason or what?

20 MS. POLLAK: It's going under.

21 MS. CHEEVER: Then it will be under or as  
22 it goes under Mason?

23 MS. POLLAK: We talked about Thompson  
24 Reach.

25 MS. BLUM: Can you throw your voice,

0034 1 please?

2 MS. POLLAK: I'm sorry. The quartermaster  
3 project is to connect the Thompson Reach, which is the  
4 former fill site 6 something, 6B.

5 That was restored in 2005, it's to connect  
6 that, to go under Mason Street. We have a couple  
7 different design options for doing that, a couple  
8 culverts or different numbers of culverts versus the  
9 bridge in the EA and then connecting the Crissy Marsh.

10 So it will all be daylighted above ground,  
11 except for the piece that needs to go underneath Mason,  
12 unless somehow we create a bridge out of Mason, which is

13 not going to be too likely.  
14 MS. CHEEVER: Thanks.  
15 MR. BECK: That's all I had to say. So  
16 I'll take any questions.  
17 MS. BLUM: I came in late. Excuse me if  
18 I'm repeating a question that's already been answered.  
19 MR. BECK: Sure.  
20 MS. BLUM: But when you develop some kind  
21 of an amendment to your original plan that will affect  
22 the Quartermaster Reach, I'm wondering, do you work with  
23 Natural Resources ahead of time or during the time you're  
24 planning that to see if this will in some way interfere  
25 with it?

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1 MR. BECK: Yeah. I mean, there were  
2 discussions between our group and Natural Resources. We  
3 got the plan ahead of time. We knew that -- we wanted to  
4 know how it related to where we would be digging, and so  
5 we did that and we thought about how we could backfill  
6 that excavation and meet all of our objectives. So we  
7 kind of got together on that.  
8 MR. BERMAN: I just have a -- this is not  
9 something for you to worry about, but I was just  
10 concerned about how Caltrans is dealing with the seismic  
11 safety of the temporary offshoot since it's going to be  
12 around for nearly five years, and it's just built on  
13 landfill, basically.  
14 MR. BECK: Well, I mean, this is much  
15 better than the landfill. This will be structural fill.  
16 This will be every bit as strong as the ground next to  
17 it, and when they add their -- several feet of fill on  
18 top of that, they'll compact it.  
19 You know, it will be as strong as any other  
20 road in this state. There's always seismic issues, but  
21 there's no bridges, so it should be fine.

22 FACILITATOR KERN: Thank you very much,  
23 Mike. Appreciate it.

24 Moving on to item 5B, the RAP5 comment  
25 letter and time extension, I can report as I did at our

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1 committee meeting that we have not heard back from DTSC  
2 about the extension.  
3 I did receive an e-mail message from  
4 Medi -- that's Remedios Sunga. You may have -- that's  
5 who we address our letters to. She's the project manager  
6 for the RAP5, and she said she was sorry. She had been  
7 out of pocket with a family emergency and that Richard  
8 Perry, DTSC, public affairs person would be getting back  
9 to us. That was yesterday.  
10 So she responded. I responded back to her  
11 saying thanks and we'll look forward to hearing from  
12 Richard. We'd still like to communicate some comments to  
13 DTSC.

14 In the meantime, there's been some RAB  
15 sleuthing around the issue trying to figure out the  
16 selenium issue, and we have -- one of our members tonight  
17 can report a little bit on what he's found, and he and  
18 Mark and I have been discussing this, and I think the --  
19 the package of material, the study of the selenium study  
20 was sent to everyone that was found by John.

21 I wonder if we might borrow access to the  
22 projector.

23 Do you have a flash drive? Very good.

24 MR. BERMAN: Doug, while they're setting  
25 that up, I have a quick question. I couldn't see how you

0037  
1 actually went from the -- I guess it's the TRVs to the  
2 SSLs, but there's some equations, and in order to  
3 actually follow that, there were other documents that  
4 were footnoted of which were not a appended to the file  
5 that he sent.

6 So there was no way that -- if you wanted  
7 to get into it, there was really no way that you could  
8 check the answer and know.

9 And so reading it over -- maybe this will  
10 be cleared up tonight, but in advance of this, I have to  
11 say that it's really not possible to -- it's really not  
12 possible to make an honest evaluation of the final figure  
13 for the SSL from the material that's sent without  
14 knowing, you know, the rest of the -- those -- the rest  
15 of those documents.

16 So I personally was disappointed, because I  
17 thought I'd dig into this a little bit, and I found that  
18 the absence of those other documents meant that I was  
19 back exactly where I was a month ago, that I might as  
20 well just take a number as given and shut up.

21 FACILITATOR KERN: Well, I think you'll  
22 learn some things from John tonight.

23 My discussion with him today is he really  
24 didn't quite come to some of this until yesterday. So  
25 he's been doing quite a bit of digging.

0038  
1 MR. BERMAN: Okay.

2 FACILITATOR KERN: We're rather fortunate  
3 that he's actually a toxicologist and has some  
4 familiarity with this material.

5 So -- is that just blurry or am I suddenly  
6 going --

7 MS. FANELLI: It might need to be  
8 adjusted.

9 MR. BUDROE: My apologies, everybody, that  
10 you got one with a paperclip. I'm working with a new  
11 printer and the pages were upside down. So it takes a  
12 little bit getting used to.

13 RAP5A selenium cleanup issues. We're going  
14 to talk about the PRG, the Preliminary Remediation Goal,  
15 which is the cleanup standard for selenium at the  
16 landfill sites.

17 It was originally was proposed to be 0.5  
18 milligrams per kilogram of landfill, and the Trust  
19 proposed reducing that number from 2 to -- from --  
20 actually increasing from 0.5 to 2 increase.

21 Now the degree of eco protections provided  
22 by PRG depends on the Threshold Benchmark Value that you  
23 choose, and the PRG is essentially -- you see a target  
24 Hazard Quotient of 1. You don't want an increase. If it  
25 was greater than 1, you would see an increase of

0039  
1 potential toxic questions from selenium.

2 To calculate that you, you multiply that HQ  
3 of 1 times that Threshold Bench Value mark and BW and  
4 divide that by the intake, which is going to be soil  
5 ingestion and food. If the TBV increases, the PRG  
6 increases.

7 Next slide, please.

8 The TBV is a numerical estimate of No

9 Observable Adverse Effect Level, NOAEL, or Lowest  
10 Observable Adverse Effect Level, LOAEL, for a toxicant.

11 In this case, most of the data sets that  
12 were involved actually reproduction in growth, and  
13 there's an example of the dose response curve.

14 Whenever you do either a field study or a  
15 lab study, you use a number of different doses of the  
16 chemical that you're testing and then you have some  
17 animals that aren't treated at all. They're all  
18 controls.

19 Hopefully if you set your doses up right,  
20 you have a number of doses in which you see effects and  
21 doses that you don't see an effect. The doses that you  
22 can't see an effect is a NOAEL, and where you see an  
23 effect is a LOAEL.

24 Sometimes if you don't pick your doses  
25 right, you may not see a no NOAEL. We're going to be a

0040 1 LOAEL, and you're going to see a LOAEL and doses above  
2 that.

3 Next slide, please.

4 Avian species, birds are especially  
5 sensitive to selenium. They're the type of species that  
6 are most sensitive to selenium that will be found in a  
7 RAP area, and they're again -- your primary effects are  
8 on reproduction and growth.

9 I don't know if you people have heard about  
10 Kesterson Wildlife Refuge. A lot of San Joaquin Valley  
11 soils have selenium.

12 They irrigated the farmland that had water  
13 that leached the selenium. Kesterson had runoff and had  
14 really high levels of selenium.

15 I didn't have those numbers, but you end up  
16 having deformed embryos, hatchlings that didn't make it  
17 very long, and this all was the impact of selenium  
18 in-utero on, you know, the eventual offspring.

19 So this was a species high for PRG of  
20 selenium.

21 Next slide, please.

22 That is going to be kind of difficult to  
23 see. It's in the presentation. That was basically taken  
24 from this document. Ecological soil screening levels for  
25 selenium. US-EPA has published a TRV that came out in

0041 1 2007. This is also in the DTSC presentation.

2 They took all the studies out there that  
3 met their criteria, grouped them by effect type -- for  
4 example, reproduction, growth, mortality -- and then here  
5 representatives from the studies show the doses, the  
6 lowest doses with effects up to the highest ones, and one  
7 thing in looking at these lines here, these are  
8 actually -- each one of these is a tenfold increase.  
9 That's a logged scale.

10 So you're talking about -- from here to  
11 here, that's a difference of 1,000.

12 And the filled in circles are NOAELs. The  
13 other circles are LOAELs. That's where you have a NOAEL  
14 and LOAEL in the same study.

15 And one thing that's interesting. You  
16 can't really see it on the screen, but it's on the  
17 presentation is that US-EPA essentially derived a number  
18 based on the lowest -- the highest NOAEL that was lower  
19 than the lowest LOAEL.



20 So they came up with two different numbers.  
21 The second one will be important in a minute.

22 Next slide, please.

23 So the Trust has developed two TBV values  
24 for American robins, which are used for determination.  
25 The TBV low is 0.13 milligrams per kilogram. That's

0042 1 basically as far as I can tell NOAEL toxicity values.

2 I will say that the Presidio-wide cleanup  
3 document was not essentially transparent as far as coming  
4 out with how they came up with some of these values.

5 I mean, some of it actually I think depends  
6 on old Army documents.

7 The TBV high is 1.32, an order of magnitude  
8 higher and based on LOAEL toxicity values.

9 Next slide, please.

10 Now, from this document -- this was -- the  
11 one I pointed out on the -- on the graphic depiction, the  
12 US-EPA looks published a TRV, which is equivalent to TBV,  
13 of 0.29 milligrams per kilograms, which is based on the  
14 subset of NOAEL toxicity values.

15 MR. BERMAN: John, to be to be clear, is  
16 the TBV identical to the TRV or is there some subtle  
17 difference between the two?

18 MR. BUDROE: It's -- it's essentially the  
19 same thing. I mean, two different agencies can do things  
20 two 2 different ways, but they're both trying to go get  
21 to the same place.

22 In fact, the problem is the TBV instead of  
23 TRV was just to distinguish again the state and federal  
24 numbers.

25 MR. BERMAN: But they're essentially the  
0043 1 same thing and they're based on the LOAEL?

2 MR. BUDROE: That US-EPA is based on  
3 NOAEL. Highest based on lowest.

4 In human toxicology, you would never use a  
5 LOAEL as a straight number. In fact, this is -- really  
6 surprised me when I get into this.

7 I do primarily human health toxicology, and  
8 if you were doing an acute or a chronic reference value,  
9 a level that you would say is quote safe, you would --  
10 you would take a NOAEL and then you would apply what they  
11 call uncertainty factors.

12 So you would divide it by 10 to go from,  
13 say, animals to humans. You would divide it by 10 again  
14 to account for a sense of some populations, because not  
15 everybody's equally sensitive.

16 If you didn't have a NOAEL available and  
17 could only use a LOAEL, you would divide that number  
18 again by 10.

19 So you would potentially use an uncertainty  
20 factor of a thousand to go from that NOAEL -- to go from  
21 that LOAEL to the final number that you were going to use  
22 to protect the population.

23 So the kind of approach that gets used here  
24 really kind of throws some of those species under the  
25 bus; really doesn't account for them very well.

0044 1 So if you've got P species in the area that  
2 you're concerned about ecologically and they're more  
3 sensitive than any of the species that got used in the  
4 studies to generate the TPV, you're out of luck. They

5 will not be protected.

6 So the lowest avian NOAEL in all that data  
7 set that US-EPA described was approximately 0.6  
8 milligrams per kilogram. So you're talking a lot lower.  
9 You know, than the TPE high, for example, the twofold  
10 lower than the TPE low.

11 MR. BERMAN: But was that based on robins,  
12 also, or some other species?

13 MR. BUDROE: None of these were based on  
14 robins. The bulk of the species that were -- where their  
15 study data were either chickens or mallards.

16 MR. BERMAN: Much bigger animals.

17 MR. BUDROE: Bigger animals, different  
18 biochemistry, maybe, different eating habits, you know.  
19 It's all part of the mix.

20 So that's why I'm surprised where you're  
21 going from one species to another and there's really no  
22 provision made for including an uncertainty factor for  
23 allowing the fact that you're talking about -- you're  
24 extrapolating to different species.

25 MR. BERMAN: Let me grasp this. The claim

0045 1 that we heard was the SSL number was based on robins, but  
2 you're telling me the EPA document didn't do that at all.

3 It was all based on a different animal?

4 MR. BUDROE: It was based on a combination  
5 of different animals depending on which number you're  
6 looking at.

7 So let me get a little --

8 MR. BERMAN: I'm sorry. I didn't mean to  
9 interrupt you.

10 MR. BUDROE: Right.

11 MR. BERMAN: Because, you know -- I'm just  
12 trying to learn a little more about it, because it was a  
13 specific bird that was brought up in the discussion about  
14 setting the selenium limit, and that was the robin.

15 MR. BUDROE: Right. And where it's  
16 somewhat -- the number is somewhat custom tailored for  
17 where a robin is, and there are things like the body  
18 weight.

19 MR. BERMAN: Right.

20 MR. BUDROE: They use essentially an  
21 average number for an American robin.

22 There were some parameters, like soil  
23 ingested, you know, because you've got birds that are  
24 ground feeders. They're going to have worms.

25 Well, they get some dirt with the worm, and

0046 1 they actually didn't have straight on numbers for  
2 American robins. I think they used woodcocks, but they  
3 essentially tried to get an appropriate food ingestion  
4 and soil ingestion values for robin or an appropriate  
5 surrogate.

6 So they customized it somewhat --

7 MR. BERMAN: Right.

8 MR. BUDROE: -- for robins.

9 MR. BERMAN: The point you're making  
10 that -- is that since you're going across species, you've  
11 got to add in some uncertainties?

12 MR. BUDROE: You don't. Not in ecotox.  
13 US-EPA doesn't do it that way and the Trust isn't doing  
14 that way, either. That's commonplace in ecotox.

15 MR. ULLENSVANG: John, it's been quite a

time since the Army did their work. That's why it wasn't apparent from the Trust docs, and I believe that the Army TBVs were based on studies that were not robin or selenium and then were translated to robin through the methods used.

MR. BUDROE: That's exactly right. That's what EPA is. There's no studies on American robins.

MR. ULLENSVANG: In some cases, I don't know the claim, but there were some uncertainty factors when we moved to different species.

MR. BUDROE: Okay.

MR. ULLENSVANG: That is documented in the Army's studies. So you could go back in those documents and discern what was actually done.

MR. BUDROE: Got you. Okay.

Can I have the next slide, please?

The Presidio Trust and DTSC ecotox risk assessment policy aim for a Hazard Quotient of 1, no additional hazard imposed by soil PRG levels.

If you use TBV high, the HQ is .97, just less than 1. However, the TBV high for selenium is also the least ecohealth protective value available.

Next slide, please.

If you use the US-EPA TRV, the HQ at a PRG for 2 milligrams per kilogram is 4, not 1, which is not ecohealth protective, and if you use the low, the PRG is 10, definitely not protective.

Next slide, please.

If you use the US-EPA TRV value, the PRG would be 0.45 milligrams per kilograms, which just happens to be the same as the old cleanup level, and if you use the TBV low, the PRG would be 0.2 milligrams per kilogram.

The PRG value developed using the TBV high is not ecohealth protective.

And my recommendation would be that a PRG value should be based on either US-EPA TRV value or TBV low.

Next slide.

Just some notes on the lowest background selenium concentration listed for Presidio.

The background is actually the sensitivity limit of the detection method used. It's half - .5 milligrams per kilograms or 500 ppm.

The actual background levels could be considerably lower. The detection method that's being used here is not very sensitive.

And in this ecosoil screening level document, EPA lists the typical selenium background than concentra for western soils as being less than .5 milligrams per kilogram.

I would say the fact that the protection level is not particularly low, but either US-EPA TRV or the TPV low is the way to go.

MR. BERMAN: John, just as a notational thing, is it PRG equivalent to what the EPA -- the US-EPA calls the SSL?

MR. BUDROE: No. The SSL in here for avian species was 1.2. So it's higher than the number you would derive using the robin biofactors, but less

1 than the number that the Presidio is recommending, and --  
2 I mean, this document says this should not be used for an  
3 absolutely blanket screening level nationwide, but it  
4 gives you kind of a ballpark number to look at, and you  
5 can say well, am I way high, way low?

6 If you are, then maybe you've got a bit of  
7 a problem.

8 So, you know -- but what I found  
9 interesting is there was an PRV on it. PRV is only  
10 twofold higher than the TBV low that the Trust came up  
11 with, which, you know, gives me a fair amount of  
12 confidence that the number that you ought to be looking  
13 at to develop the PRG ought to be down about that range.

14 FACILITATOR KERN: Questions for John.  
15 Jan.

16 MS. BLUM: Doesn't DTSC have access to the  
17 same information that you have presented?

18 MR. BUDROE: Yes.

19 MS. BLUM: So are you going to give them a  
20 copy of this or are we going to give them a copy of these  
21 findings?

22 FACILITATOR KERN: Well, I think we should  
23 kind of get to that, what we want to do.

24 Let's just kind of finish with the  
25 questions for John about his presentation and then we can

0050 decide what we want to do.  
1

2 Good point, Jan.

3 MS. SEGAL: John, can you just say again?  
4 You said the EPA TRV is equivalent to the TRV threshold  
5 benchmark value.

6 What is TRV?

7 MR. BUDROE: Threshold Reference Value.

8 MS. SEGAL: Thank you.

9 And at the public meeting, when he was  
10 talking about the robins, some of the studies that he  
11 referenced were like from the 1940s. That must have been  
12 what the Army did, avian studies.

13 They also talked about different times of  
14 the year that the robins eat different things, so there  
15 was -- a percentage of the food sources were different at  
16 different times of the year --

17 MR. BUDROE: Right.

18 MS. SEGAL: -- for the robin.

19 MR. BUDROE: Most of the data points there  
20 were for reproduction. There was kind of a mix for  
21 different times of the year, but when robins were looking  
22 to start laying eggs and nesting, their food source  
23 shifted to almost all invertebrates, so --

24 FACILITATOR KERN: I really appreciate the  
25 work that John has gone in to and also his presentation

0051 tonight.  
1

2 We can decide, you know, to continue to try  
3 to have this conversation with the Department and let  
4 them know what our thoughts are regarding the selenium  
5 relaxation number.

6 Does anybody have any recommendations or  
7 thoughts around that?

8 MR. HULTGREN: I have a question.

9 FACILITATOR KERN: Yes, Julian.

10 MR. HULTGREN: Have these findings with  
11 these opinions been discussed with the Department's

12 counterparts?  
 13 FACILITATOR KERN: This is -- tonight is  
 14 our first.  
 15 MR. HULTGREN: So they haven't yet?  
 16 FACILITATOR KERN: No, they have not.  
 17 MR. HULTGREN: Then maybe -- I'm not going  
 18 to suggest this. Just throw it out. Maybe there should  
 19 be some effort to facilitate that kind of discussion --  
 20 FACILITATOR KERN: Sure.  
 21 MR. HULTGREN: -- between John, if he's  
 22 available, and whoever and the Department and you I would  
 23 think would be qualified, too.  
 24 FACILITATOR KERN: John.  
 25 MR. BUDROE: This is where actually having

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1 the RAB put together formal comments to offer to DTSC,  
 2 that's the way it should go. Because I wouldn't send  
 3 them a Power Point presentation. You want to put  
 4 something together that was, you know, a piece of prose.  
 5 So we have to -- we have to be allowed the  
 6 ability to comment at this point.  
 7 MR. HULTGREN: Yeah. I think if we did  
 8 that, then we should -- we should, if not -- not phrase  
 9 it this way, but we should very clearly raise a question  
 10 to them of whether this makes a difference to their --  
 11 their conclusions.

12 And if it does, what are they going to do?  
 13 If it doesn't, what are their arguments?

14 So in effect, we do it by writing, but it  
 15 would be the same thing, asking them for comments and  
 16 discussion, I think.

17 FACILITATOR KERN: Sam.  
 18 MR. BERMAN: I am at this moment very  
 19 uncomfortable about the idea of the RAB supplying a  
 20 document that has this much technical material in it.  
 21 Because the RAB has no authority to deal with -- to  
 22 present issues of this technical nature.

23 It seems that DTSC has some of the best  
 24 toxicologists in the world on their staff. It seems to  
 25 me before you do anything in terms of a formal document,

0053

1 there needs to be some discussion with them about some of  
 2 these issues that John has dug up and for which appear to  
 3 be very significant.

4 But this requires something of a technical  
 5 repartee first so that people can knock it around a  
 6 little bit and make some sense of it.

7 I am deeply opposed to having the RAB use  
 8 this as a basis of something to submit to DTSC, because I  
 9 think it has the -- the possibility of aggravating  
 10 people.

11 It's the kind of thing that we didn't want  
 12 to do when dealing with some of the cleanup measures. We  
 13 wanted to get in and have a discussion before decisions  
 14 were made, and I think the best thing to do at this level  
 15 is to have some kind of talk session with a toxicologist  
 16 there at DTSC.

17 There's -- a couple of people there are  
 18 nationally, internationally known for their skills in  
 19 this field.

20 So I don't think it's appropriate at all  
 21 for the RAB to be injecting comment at this technical  
 22 level.

23 We can say -- if you want to say something,  
24 you can say that we feel that we'd like to have a meeting  
25 because we have concerns, but I don't think you can put

0054

1 any of this into that -- into that request.  
2 I mean, this is down to an issue of --  
3 whether you include uncertainties, what birds you really  
4 choose. Are the equations appropriate? Have they been  
5 performed correctly?

6 I don't think this is the job of the RAB to  
7 get involved at that technical level.

8 I think what John has done is he has opened  
9 the door for some further discussion so that we can be  
10 made more comfortable or less comfortable, whatever the  
11 outcome is with this technical issue.

12 MR. CHESTER: Well --

13 FACILITATOR KERN: John --

14 MR. CHESTER: -- this meeting, DTSC is not  
15 here; correct?

16 FACILITATOR KERN: Right.

17 MR. CHESTER: This is one of our public  
18 meetings where this information would be conveyed. I  
19 think we talked about it in two meetings thirty days  
20 apart now without having -- you know, I understand that  
21 there are staff limits with DTSC, but I think it needs to  
22 be recognized that the work has been done and we've been  
23 talking about it, but there still hasn't been a DTSC  
24 representative to give us feedback as we're developing  
25 our thoughts on this, which I would presume this meeting

0055

1 might be one place where we can have that discussion, but  
2 without a member here, we can't really fulfill it and we  
3 have to wait till June.

4 I don't know how much time we have left to  
5 continue to discuss this issue, which might be a second  
6 question is what is our deadline -- what is the  
7 regulatory deadline in getting this information processed  
8 and a rebuttal or dialogue started?

9 MR. BUDROE: Well, one thing, Sam, with  
10 regard to DTSC science, I don't have an argument with how  
11 they did the science. It's pretty much on the up and up.

12 I can take what -- take information from  
13 the Trust documents and from DTSC and came up with what I  
14 got and I was able to reconfirm some of what was in the  
15 DTSC presentation.

16 What it really gets down to is a policy  
17 call, because you can turn all the numbers outright, but  
18 you have to decide what that PBV is going to be, and that  
19 almost gets down to being a policy call, how protective  
20 do you want to be.

21 And there's the potential that you can talk  
22 back and forth about how the science was done, but at the  
23 end, somebody's going to make the policy call, and  
24 whether the RAB winds up agreeing with what that policy  
25 call is is a good question.

0056

1 MS. SEGAL: Isn't one of the issues that  
2 the -- in the whole process of remediation and cleanup,  
3 this is the first time that a level of cleanup has been  
4 lowered?

5 MR. BERMAN: Raised.

6 MS. SEGAL: I mean raised.

7 MR. BUDROE: The first time they've gone

8 from more protective to less protective, basically.

9 MS. SEGAL: That's the first time in all  
10 of the remediation program. So I think that's a --  
11 that's the issue, but isn't the public comment period  
12 over? When was the public comment period ending? We  
13 asked for an extension.

14 FACILITATOR KERN: The comment period ran  
15 from March 22nd to April 21st.

16 MS. SEGAL: Right.

17 FACILITATOR KERN: And we requested our  
18 extension.

19 If it had been granted a thirty-day  
20 extension, we would have ten more days or so.

21 So assuming that there was some implied --  
22 I mean, we don't know if we can assume anything, but we  
23 haven't received a response.

24 It seems like if we assume that their lack  
25 of response in some way was just a time period to try to

0057 1 continue the conversation, I think some form of  
2 attempting to have a conversation is very important,  
3 because of the policy issues, and it relates right back  
4 to what we said in our original comment letter, which we  
5 did not think that the cleanup levels should be relaxed.

6 Now we just have more information about why  
7 it was proposed that it was protective and we can have  
8 that discussion.

9 So we can have a discussion. We can try to  
10 get that going and then we can report back, and if RAB  
11 members want to then at some point have a written  
12 document for the record be submitted, we can do that.

13 How does that sound to people, that we make  
14 some attempt to have a meeting?

15 MR. BERMAN: You mean -- with DTSC, you  
16 mean?

17 FACILITATOR KERN: Meeting with DTSC.

18 MS. CHEEVER: I just want to add a little  
19 information. At 7:29, Denise Tsuji sent a message  
20 tonight saying she wasn't able to come to this meeting  
21 and that she was sorry and that she would be at the May  
22 25th meeting.

23 Now I know May 25th is outside the  
24 tentative thirty-day extension, and also another thing,  
25 not being a technical person myself, I don't know whether

0058 1 Denise Tsuji is a technical person who would be the right  
2 person to have this discussion. So I'm just bringing  
3 that up the fact that she sent that message.

4 Also, it seems to me in the past the RAB or  
5 individual members of the RAB have made rather technical  
6 comments at times and they have actually had an effect.

7 I remember, for instance, Bob Boggs saying  
8 that some comments -- this was Doug Morris, an individual  
9 RAB member made about landfill 10 that were actually very  
10 influential in sort of modification of some of the plans.

11 I think there were a lot of other examples  
12 where we've made technical comments. So if we do it in  
13 the right respectful way, I don't feel such hesitation to  
14 do that.

15 FACILITATOR KERN: Any other discussion?

16 MS. CHEEVER: If the planning meeting is  
17 outside of the 21st, how do we go about initiating a  
18 discussion that will be within the thirty days?

19 FACILITATOR KERN: I would propose that we  
20 send an e-mail message to Jim Polisini saying, "We've  
21 reviewed -- we found the study that you referenced.  
22 We've reviewed the technical information. We'd like to  
23 have a conversation with you about it" and copy everybody  
24 so everybody knows and see what they say, see if we can  
25 set up a meeting at their earliest convenience.

0059

1 MR. BERMAN: John, since he said that  
2 choosing the -- the -- the TRV is sort of arbitrary, as a  
3 policy decision of a sort, what is policy going to say  
4 about that?

5 MR. BUDROE: I wouldn't venture to guess.

6 MR. BERMAN: If that's a policy decision,  
7 is that something that's made by a technical person?

8 MR. BUDROE: Possibly not. You know,  
9 generally -- generally if you're doing health risk  
10 assessment and you've got a NOAEL, you use it unless  
11 you've got a really good reason to not use it.

12 So dumping a NOAEL for a LOAEL base value  
13 does not make any sense, and obviously US-EPA agrees with  
14 that -- that position because their number is also NOAEL  
15 based.

16 FACILITATOR KERN: Let me go to Jerry.

17 MR. DODSON: Doug, didn't you send e-mails  
18 to Dr. Polisini and he didn't reply to you?

19 FACILITATOR KERN: I did, actually, still  
20 within the comment period. I asked him for a reference  
21 of that study.

22 MR. DODSON: And isn't it true that  
23 they're now working on resolving the comments that have  
24 been submitted in order to come up with a final decision  
25 of what's going on? Eileen, didn't you mention that?

0060

1 MS. FANELLI: We have been drafting the  
2 response to comments received, yes.

3 MR. DODSON: Is there a time -- there  
4 isn't a deadline. It's whether DTSC sends it to us.  
5 When do you think it's going to be done?

6 MS. FANELLI: I don't have a date. We  
7 have responded to questions. Some of the questions from  
8 DTSC, I assume Jim is going to be responding to, not the  
9 Trust.

10 I don't have any real sense of time frame.

11 MR. DODSON: None at all? One month?

12 MS. FANELLI: We're certainly hoping that  
13 this will all be resolved and decisions made really by  
14 early June. That's our goal.

15 MR. DODSON: Right. Because you wanted to  
16 get started on it.

17 MS. FANELLI: That's the Trust goal, but I  
18 have no commitment from DTSC to any specific date. They  
19 are aware, though, of my goal.

20 MR. DODSON: Is Jim the only one dealing  
21 with these comments?

22 MS. FANELLI: I don't actually have direct  
23 communication with Jim, but my presumption is that Jim is  
24 reviewing what we have drafted up and is adding to it in  
25 the areas where we can't respond, but if you remember,

0061

1 Genevieve Coyle on the Trust staff is also an ecological  
2 risk assessor herself, so I have her working with Jim on  
3 the response.



4 MR. DODSON: Thank you. Thank you.  
5 FACILITATOR KERN: So it just seems that  
6 we need to convey this information that we've generated  
7 somehow to DTSC in a way that we can actually have a  
8 conversation, see what -- what influence we can have at  
9 this date.  
10 Would -- would that be the consensus? Are  
11 people supportive of that approach given what you've  
12 heard tonight?  
13 MR. BERMAN: Polisini, is he on the DTSC  
14 staff?  
15 FACILITATOR KERN: Indeed he is. I don't  
16 know what his workload is. I'm sure he's very busy.  
17 MR. CHESTER: If the statement is to get  
18 this information to them or ask DTSC -- tell DTSC we have  
19 additional information to discuss, I would be supportive  
20 of that.  
21 FACILITATOR KERN: Yeah. I think that we  
22 have additional things we'd like to talk about with them  
23 as a way of kind of addressing Sam's issue and being  
24 respectful.  
25 So I think face-to-face, that we would tend  
0062  
1 to be able to at least have a better chance of trying to  
2 get through.  
3 MR. O'HARA: That is -- that is probably a  
4 first step in the protocol, to get a dialogue started,  
5 but what's plan B in case they blow you off?  
6 FACILITATOR KERN: I think plan B is write  
7 a letter, and we need to start writing the letter so that  
8 the rest of the RAB can review that and be good with it,  
9 but that's -- we need to get both processes going.  
10 Julian.  
11 MR. HULTGREN: I'm a little confused. I  
12 think John said that the science, the mathematics, if  
13 that's at all a proper term, of DS -- DTSC is fine and  
14 it's not different from this, but the difference is that  
15 we feel that their conclusions or their policy of  
16 ignoring their own results, that their policy is not  
17 correct.  
18 So we don't really need to get this to  
19 them. It wouldn't hurt, but we really just need some --  
20 maybe you're right scientifically, but we don't think as  
21 a policy matter you're correct.  
22 FACILITATOR KERN: I think that's right,  
23 Julian.  
24 MR. HULTGREN: Is that -- okay.  
25 FACILITATOR KERN: He's saying that the  
0063  
1 2.0 is protective, John's work is saying that it's not,  
2 and so --  
3 MR. HULTGREN: It's not his work, though,  
4 as much as --  
5 FACILITATOR KERN: Using different values  
6 in the equation, and that discussion between people needs  
7 to occur, and see what he says, see if we can influence  
8 him at all.  
9 MR. HULTGREN: Mm-hmm.  
10 FACILITATOR KERN: Would there be any  
11 objection to the generalized plan of beginning to try to  
12 have that conversation and also assembling the letter?  
13 Seeing no objection.  
14 MS. CHEEVER: Could this request for a

conversation go to more than one person at DTSC?

FACILITATOR KERN: Certainly.

MS. CHEEVER: I'd like a copy to Denise Tsuji. She e-mailed saying tonight she wants to keep in touch, because I don't really understand the whole situation, but I don't want it just to go to one person who has a particular point of view as opposed to the institution of DTSC knowing that we as a community institution has a concern.

FACILITATOR KERN: And Medi is the project manager, so it should go to her, as well.

Yes.

MR. DODSON: I think it's worth a try, but I'd just like the comment that the comment period's closed, and so the agency itself is in a position where it's difficult for them to take comments, because it's closed and other people wouldn't have access to what you would be saying.

That tends to be a break on discussing things after the comment period is closed.

MR. O'HARA: You asked for an extension and the extension hasn't been denied.

FACILITATOR KERN: That's right.

Jan and then --

MS. BLUM: In response to Jerry's remark, to me, it's a little bit unusual that we learn this new information on the day of the public meeting, which was, what? Ten days before the public comment was supposed to be closed.

So the public didn't have the advantage of knowing this information until too late -- really now it's too late to really get involved in it.

So would that make a difference? Morally, it should make a difference, but I'm not sure legally.

MR. DODSON: I can answer that. As a matter of law, if the comment period's closed, it's

difficult. It's also understandable where Dr. Polisini hasn't responded to you, so --

MS. SEGAL: In your response to comments at the public meeting where Doug and I were, we asked then and we raised the issue of the change.

So I presume that's a response to comments that were raised at the public meeting. There had been a response. Whether we like it or not is another issue.

FACILITATOR KERN: John.

MR. BUDROE: Speaking for experience with Cal-EPA in general, comment period -- extensions for comment periods are often made. Generally, not by community groups, usually by industry groups. They're virtually always granted.

The department has -- absolutely has the discretion to go ahead and extend that comment period, and when the extension -- a reasonable extension request is made, it is virtually never denied.

MS. SEGAL: But Doug asked for an extension the night of the public meeting before any letter was ever sent. He asked for an extension.

MR. BUDROE: That's what's really troubling is the fact that there hasn't been any response back. Having it hang out in space is just a real problem. That's just generally not done.

Presidio RAB Meeting.txt

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1 FACILITATOR KERN: Julian.  
2 MR. HULTGREN: Did you say that -- I don't  
3 know what the name is -- someone who is supposed to deal  
4 with this extension issue is not here?  
5 FACILITATOR KERN: The DTSC had a public  
6 affairs person at the meeting running the meeting. His  
7 name is Richard Perry, and Medi said in her message  
8 yesterday that Richard Perry would be responding to me  
9 regarding the extension, and that was yesterday.  
10 I thanked her yesterday via e-mail, copying  
11 Richard Perry, as well.  
12 MR. HULTGREN: You said someone had been  
13 away for a period of time, didn't you?  
14 FACILITATOR KERN: Yes.  
15 MR. HULTGREN: Was that Richard Perry  
16 or --  
17 FACILITATOR KERN: That was the project  
18 manager, Medi had been away.  
19 MR. HULTGREN: What does that have to do  
20 with getting back to our request for extension?  
21 FACILITATOR KERN: Well, she's the project  
22 manager, so perhaps there was -- you would think that the  
23 Department would send back a response, but perhaps it was  
24 bottled up with her absence being the project manager.  
25 We're just allowing for that.

0067

1 All right. Well, there are a few other  
2 items tonight.  
3 Are there any other essential -- yes, plus.  
4 MS. BLUM: I'll take it offline.  
5 FACILITATOR KERN: Really? Okay.  
6 MS. BLUM: I have another comment, but  
7 I'll make it to you.  
8 FACILITATOR KERN: Very well.  
9 All right. So we will -- yes, John.  
10 MR. CHESTER: This could be a yes or no.  
11 At one time you brought up the consequences of this  
12 change in cleanup level. There was a -- maybe this was  
13 part of our question in the letter -- I can't recall --  
14 what the cost -- the added cost or the savings of, you  
15 know -- financial cost of soil based on this change of  
16 cleanup level.  
17 Has that been quantified or did anybody --  
18 did that come back to us in any way in terms of answering  
19 that question?  
20 FACILITATOR KERN: Not as far as I know.  
21 MR. CHESTER: Okay.  
22 Okay. Thank you very much, everyone for  
23 commenting, participating in that discussion. Let us go  
24 through the rest of these agenda items. A couple more  
25 important things.

0068

1 We have item 5C was Merchant Road fill.  
2 MR. ULLENSVANG: I can tell you a little  
3 bit now, but I don't have any maps tonight. I didn't  
4 foresee this coming up tonight, but I'd be happy in two  
5 weeks to have maps and go through it then.  
6 This is an investigation that was done on  
7 some data gaps at the Merchant Road fillsite, which is  
8 along Merchant Road south of the Golden Gate Bridge  
9 District portable offices near the parking lot that was  
10 built in approximately 2006, and I'd be happy to have the

11 map and go through some of the findings in two weeks or I  
12 can go through it now, but it will be just a little bit  
13 harder. Your choice.

14 FACILITATOR KERN: Let's do it when it's  
15 easier.

16 MR. ULLENSVANG: Okay.

17 FACILITATOR KERN: Moving on -- thank you  
18 for that report.

19 Item number 6. Denise, I guess, has sent a  
20 message to us saying she is not going to be here.

21 Agnes, do you have anything for us?

22 MS. FARRES: No.

23 FACILITATOR KERN: Item 7, the drafting  
24 committee proposal.

25 Julian, do you have something for us?

0069

1 MR. HULTGREN: Okay. If we -- it  
2 shouldn't take too long.

3 The last of the comment letter we sent a  
4 couple weeks ago took us, I think, five or six drafts  
5 before we finally got something to take out -- to put  
6 out.

7 That seems to me involved a lot of time and  
8 a lot of work, especially work on the part of Doug and  
9 Mark, I think in fielding the replies and the responses  
10 and so forth, and it also resulted in some delay I think  
11 in getting our comments in.

12 It occurred to me that it might be helpful  
13 if we had a little more planned organization to process  
14 drafts of this type so that they didn't float around for  
15 so long, and I thought maybe consideration of a Draft  
16 Review Committee might be appropriate, and Mark said  
17 well, it might be appropriate, but do we have any  
18 provision for it in the bylaws?

19 And looking at the bylaws, I find that  
20 there was -- there is a provision for -- for a  
21 Restoration Compliance Committee which paraphrasing shall  
22 review, inquire, evaluate and respond to the RAB on draft  
23 and final documents, et cetera, et cetera.

24 So it seemed to Mark and me that that would  
25 fill the bill as far as authorizing this sort of thing.

0070

1 Which doesn't mean we have to do it.

2 It -- to activate it, and we don't have --  
3 we don't have an active committee presently because we've  
4 never gotten volunteers to -- nor have we ever had a real  
5 urgency to cover -- to study that type of process, but at  
6 any rate, it would take some volunteers to serve on a  
7 committee, and if it -- if that is to be done, the  
8 volunteers should -- the committee members should meet  
9 two responsibilities.

10 One would be that some of them should be at  
11 least -- at least to be well-versed in the scientific  
12 aspects of the work that we look at. The other would be  
13 to -- those who have wordsmiths or writers who can put  
14 words together.

15 And just as -- the committee, if it should  
16 be formed, it should depend again on people interested in  
17 volunteering and serving on that committee.

18 Just one suggestion -- not suggestion. One  
19 proposal on how it could operate, and I think to expedite  
20 getting our letters and our comments out more  
21 efficiently.

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22 The first draft from whomever prepares the  
23 first draft would go to the committee. The committee  
24 would then sit down and assess the text and look at  
25 the -- polish the language and they would send a first

0071  
1 draft, if you will, of that -- of that proposal or that  
2 document out to the membership with a cover letter that  
3 would say this is a draft for such and such a purpose and  
4 that we request -- we would invite comments, and the  
5 comments should be in our hands by no later than and have  
6 a fairly short fuse on it, and then the committee could  
7 look at that again and incorporate those comments that  
8 are appropriate, and then send out a final draft with the  
9 cover letter saying this is the final draft and it will  
10 be brought up before the full RAB on a certain date, and  
11 if you have any comments or criticisms, please bring them  
12 to that meeting, and then it would then be brought up --  
13 could then be brought up and finalized or it could be  
14 sent back for some further work.

15 Anyway, that's what I talked to Mark about  
16 and he asked that I present this. I'm not sure where we  
17 would go from this point, if at all, except I suppose  
18 the -- well, first we have to have some show of interest  
19 by the RAB, and that could probably take the part of some  
20 volunteers to serve -- who are interested in serving on  
21 that kind of committee.

22 So I -- that's the comment I had and I'm  
23 not sure just where you want to take it from here at this  
24 point.

25 FACILITATOR KERN: Thank you very much for  
0072  
1 putting some thought into that and trying to improve our  
2 process of getting these letters out.

3 We do have this letter in front of us so we  
4 could kind of do a trial run with it, if there are people  
5 that are interested.

6 Otherwise, it will kind of go through the  
7 same process and get a draft, send it out to everybody,  
8 get the comments back.

9 So what Julian's really asking for us to do  
10 is to set up some people that would really want to look  
11 at the first review and fine-tune it a lot more.

12 So I guess one way to do that is to  
13 continue to explore this by -- it's a little bit late  
14 now. I'm not sure I want to ask for volunteers right now  
15 at this hour knowing that I might not get anybody just  
16 because everybody may want to go.

17 So I will -- I'd like to have this be kind  
18 of open and we can put feelers out to people and see if  
19 you'd like to participate in such a committee.

20 How would that --  
21 MR. HULTGREN: Fine. It's not an urgent  
22 matter, and my basic intention is to make things a little  
23 more efficient and to maybe take some of the burden off  
24 Doug and Mark, and if the RAB generally has some interest  
25 in it, fine. If not, we can continue to do what we have

0073  
1 done.

2 So I think it's not urgent and I think  
3 maybe, as you say, put some feelers out and then perhaps  
4 a month from now, we can revisit it.

5 FACILITATOR KERN: Okay. Very good.  
6 Thanks very much.

7 We have down here a time for any public  
8 comment.

9 Anybody that's here from the public that  
10 might want to make any kind of comment at all?

11 Action items. We are going to attempt to  
12 have a meeting and we're going to generate a letter  
13 around the selenium issue.

14 I think we're going to have the Merchant  
15 Road fill discussion along with the other two items at  
16 our committee meeting, and agenda items, as always,  
17 please feed them to Mark.

18 Is there any other issues before we close?  
19 Any items for the good of the order?

20 Sam, please.

21 MR. BERMAN: This is really pursuing what  
22 Peter had brought up earlier, and that is suppose the  
23 extension is rejected.

24 Do we have a plan or -- I'm just saying  
25 that that's a discussion item for the next committee

0074 meeting.

1 FACILITATOR KERN: You know, I think this  
2 is a very -- an interesting moment, and there's a  
3 tendency for people to kind of -- some people will engage  
4 by, you know, really fighting hard and looking at all the  
5 rules and saying, "Hey, we are owed this," and other  
6 people will do something else, and I -- in some ways,  
7 since it's never happened, I think we have to engage at  
8 least on a human level and discuss, see what happens and  
9 report back, and I don't want to try to preset how that  
10 would work out.

11 There are lots of ways that it could go,  
12 and I want to assume the best on everybody's part to  
13 start out.

14 That could be a failing of mine, personal  
15 failing, but I'm going to start that, and then we can  
16 talk about plan B.

17 MR. BERMAN: I just say that as a  
18 potential agenda item for the Planning Committee, because  
19 by then, we certainly should know whether the extension  
20 has been granted, because the Planning Committee meeting  
21 would be after the extension, and so just an agenda item.

22 FACILITATOR KERN: Okay. Without  
23 objection, meeting adjourned. Thanks, everyone.

24 (The meeting concluded at 8:56 PM).

0075  
1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )  
3

4 I, the undersigned, hereby certify that the  
5 discussion in the foregoing meeting was taken at the time  
6 and place therein stated; that the foregoing is a full,  
7 true and complete record of said matter.

8 I further certify that I am not of counsel or  
9 attorney for either or any of the parties in the  
foregoing meeting and caption named, or in any way

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interested in the outcome of the cause named in said  
action.

IN WITNESS WHEREOF, I have  
hereunto set my hand this  
\_\_\_\_ day of \_\_\_\_\_,  
2010.

-----  
MARK I. BRICKMAN CSR 5527

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, JUNE 8, 2010

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR RPR

License No. 5527



## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Eileen Fanelli

Brian Ullensvang

Terri Thomas

Agnes Farres

Medi Sunga

Jan Blum

Sam Berman

Jan Monaghan

John Budroe

Edward Callanan

John Chester

Jerry Dodson

Toni Kramer

Jim Ketcham

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on June 8, 2010, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

---o0o---

## AGENDA

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1                   FACILITATOR KERN:   Welcome, everyone.  
2   This is the Presidio San Francisco Restoration Advisory  
3   Board meeting for June 2010.  I'd like to welcome the  
4   Presidio Trust, the National Park Service, our regulators  
5   from the Water Board and DTSC.  Thank you very much for  
6   being here.  Of course all the community members, and  
7   actually I rarely mention to welcome Mark, our court  
8   reporter.

9                   Does everyone have an agenda?  And are  
10   there any changes or modifications?

11                  Are there any announcements or old  
12   business?

13                  New business.

14                  MS. BLUM:   I would like to make an  
15   announcement.  The Presidio Trust has advised that  
16   they're having a walk-through the Tennessee Hollow area  
17   to discuss remediation and restoration of the landfill --  
18   landfill areas and El Polin Springs, and that will be on  
19   June the 12th.  I believe it starts at 10:30.

20                  MS. FANELLI:   10:00 Or 10:30.

21                  MS. BLUM:   And they're asking for an RSVP.  
22   It's a good opportunity to have a guided tour from the  
23   Trust point of view of the area that we are now working  
24   on.  So you can see before and then in a couple of years,  
25   you'll see the after.

1 Thank you.

2 FACILITATOR KERN: Thank you, Jan.

3 Any other announcements?

4 Committee report.

5 MR. YOUNGKIN: Okay. We had our Planning  
6 Committee meeting on May 24th, Building 67. That's the  
7 fourth Tuesday of every month, and we had two major  
8 topics of discussion that night. Bonnie -- I can't  
9 remember her last name.

10 MS. FANELLI: Connie Gasaway.

11 MR. YOUNGKIN: Connie Gasaway of CH2M Hill  
12 was there to, for discussion on the landfill 2, fillsite  
13 1 construction plan.

14 So we spent about half the time going  
15 through the plans for the landfill removals and Tennessee  
16 Hollow, and she also followed up with some discussion of  
17 the landfill E field sampling plan, and that took up the  
18 rest of the meeting.

19 We spent a little bit of time with Julian  
20 talking about the Drafting Committee. I believe that's  
21 what he's calling it, but I got an e-mail from Julian who  
22 basically said that he had concluded we really didn't  
23 need a Drafting Committee, so I think that's kind of been  
24 tabled.

25 FACILITATOR KERN: I think that's right.

1 We can bring it up --

2 MR. YOUNGKIN: Right.

3 FACILITATOR KERN: -- in item 7 and talk  
4 about it.

5 MR. YOUNGKIN: And that was pretty much  
6 it. There was a long discussion, both those topics. Our  
7 next meeting is on June 22nd, fourth Tuesday, Building  
8 67.

9 MR. KETCHAM: What was the construction  
10 table for landfill 1, fillsite 2?

11 MS. FANELLI: I actually can get into it  
12 in the update, but we're hoping to start -- we're  
13 actually ready to award a contract.

14 So we're waiting for the conclusion of the  
15 regulatory process approval and we're getting ready to  
16 go.

17 MR. KETCHAM: With an expectation that it  
18 would be complete by the end of this year?

19 MS. FANELLI: It's a two-year construction  
20 period, but the mass of the waste removal and site  
21 grading will be completed this year by September 30th.  
22 And then fine grading and additional plant irrigation  
23 will happen following that followed by the Pullman Field.

24 FACILITATOR KERN: Any other questions  
25 about the committee report? We probably have other

1 opportunities in the agenda.

2 Discussions and presentations. We have --  
3 5A, we have Dr. Jim Polisini here tonight with us, very  
4 happy to see you.

5 Thank you very much for coming, and I'm not  
6 sure if we worked out that you would make a presentation  
7 or do we have an open discussion or what were you  
8 thinking was going to happen?

9 MR. POLISINI: Well, I was going to leave  
10 it open to the group, whatever they wanted to do.

11 FACILITATOR KERN: Okay.

12 MR. POLISINI: I can -- you know, there  
13 are several possibilities. I could make a quick run  
14 through the slides that I gave at the public meeting.

15 We could address the -- the second one we  
16 could address some of my responses to the -- the slides  
17 that I got which appeared to be the RAB's response to  
18 some of the comments I made, or I could just answer  
19 questions. It's pretty much up to you.

20 FACILITATOR KERN: Okay. Do people have  
21 any preferences? John.

22 MR. BUDROE: Response to the comments  
23 would be good.

24 MR. POLISINI: Okay. Anybody else?

25 FACILITATOR KERN: Any other thoughts

1 about this?

2 John Budroe said he would like to hear  
3 response to his slides that he presented.

4 MR. BUDROE: We got something available.  
5 It seems like it would be interesting to look at.

6 MS. FANELLI: Let me know, Jim, if you  
7 want any of the slides.

8 MR. POLISINI: I guess the first question  
9 would be has everybody seen in the memo that I sent to  
10 Medi dated June 3rd with the response to those comments?

11 MS. SUNGA: No. It wasn't sent to them  
12 yet.

13 FACILITATOR KERN: I haven't seen them.

14 MR. POLISINI: And I don't have any slides  
15 to go with that. So it's going to be not as visual as it  
16 otherwise might be.

17 MR. BERMAN: Excuse me. Are you going to  
18 respond to what our member John Budroe had presented at  
19 the last RAB meeting?

20 MR. POLISINI: Yeah. I got a Power Point  
21 presentation with the file name that was RAB 5A selenium  
22 cleanup issues - RAB points PDA.

23 MS. FANELLI: That's probably the title  
24 that I gave it. I scanned the slides you handed out.

25 MR. POLISINI: That was about eight

1 slides, I think.

2 Okay. I had -- let me count these up.

3 One, two, three, four, five, six, seven -- probably six  
4 general questions -- six specific responses and one  
5 general one.

6 Okay. The first one is probably the  
7 most -- one of the most significant. There was a slide  
8 in there. I don't know.

9 Do you want me to pass it around?

10 FACILITATOR KERN: I think that was a --  
11 if we're talking about --

12 MR. POLISINI: It was a slide with a curve  
13 that shows the NOAEL point and LOAEL point in terms of no  
14 response and low level of response and talks about lowest  
15 observable effect, and the end points that were used in  
16 growth and reproduction.

17 FACILITATOR KERN: Right. That was from  
18 the EPA document?

19 MR. POLISINI: Yeah.

20 FACILITATOR KERN: Okay.

21 MR. POLISINI: Except this is a simplified  
22 drawing of the NOAEL and LOAEL relationship, and my  
23 response to that -- is that letter going -- is that memo  
24 going to be released?

25 MS. SUNGA: Yeah. I'll release it.



1                   MR. POLISINI:    I guess you'll get a copy  
2   of that and we can have specific responses and exchanges  
3   about that.

4                   MS. SUNGA:    It was attached to our  
5   responsiveness summary that will be included in the final  
6   RAP.  It will go out this week.

7                   MR. POLISINI:   My response to this was  
8   this is technically obviously accurate in terms of how  
9   it's portrayed, but it -- to my mind, this is more of  
10   a -- this is more of a presentation of the -- of a  
11   screening level approach where you're at a stage where  
12   you're looking at a site.

13                   You're trying to figure out does this site  
14   look like it might be a problem or might not be a  
15   problem.  In which case we usually have no effect  
16   concentrations and low effect concentrations, and if the  
17   concentration is less than the no effect or equal to the  
18   no effect, then it's obviously not okay to leave it.

19                   If it's above a low effect, then it looks  
20   like it's a problem.  You probably need to investigate  
21   it, and then you've got a gray area in between a low  
22   effect and the no effect where there's some sort of  
23   uncertainty about where the actual effect -- whether an  
24   adverse effect might occur, how significant that adverse  
25   effect is and some other conditions that might let you

1 evaluate what that -- what those -- the significance of  
2 those responses might be.

3           And what I would say is that we're beyond  
4 that screening level approach now. What we're looking at  
5 is instead of single individual no effect concentrations  
6 and low effect concentrations, we've actually got a whole  
7 scatter and we're looking at a relationship or any  
8 overlap that might occur between the no effect  
9 experiments and the low effect experiments, and that was  
10 part of what I tried to convey in that public meeting,  
11 that there's a large overlap in selenium results from  
12 toxicity effects in that the no effect concentrations  
13 overlap with a great degree with the low effect  
14 concentrations.

15           In fact, the geometric average of those no  
16 effect concentrations is greater than the lowest bound  
17 and low effect.

18           So we've got a lot more specific  
19 information for this site, and the toxicity experiments  
20 involve just these single points.

21           And the point that I would like to make is  
22 that unlike human health risk assessment where you have  
23 promulgated either toxicity values or promulgated  
24 concentration terms like -- like -- like drinking water  
25 levels or EPA PRTs, in ecological risk assessment, it's

1 much more of an art form and a best scientific judgment  
2 once you get past the screening level approach, and that  
3 was -- you know, that was my response to that.

4 I don't know how you want -- you want to  
5 deal with each one of these individually or you want to  
6 wait.

7 MR. BUDROE: One thing with that -- that  
8 slide was a teaching moment for most of the RAB that  
9 isn't necessarily familiar with day-to-day base with  
10 LOAELs and NOAELs.

11 MR. POLISINI: Yeah.

12 MR. BUDROE: It was meant to be  
13 simplified.

14 MR. POLISINI: I understand that. I'm  
15 just saying right in this specific -- for this site,  
16 we've got more than would be conveyed in that slide, and  
17 I agree with what you're saying. It's always good to  
18 explain what those low effect and no effects are.

19 MR. BERMAN: Can I ask an amateur question  
20 here?

21 MR. POLISINI: Sure.

22 MR. BERMAN: If you have a certain amount  
23 of data from various -- from different experimenters or  
24 research groups that indicate the NOAELs, and in the  
25 absence of any information about who is better than the

1 other, if none of that's provided, can't you just look at  
2 that as a statistical sample and derive a mean and  
3 standard deviation?

4 MR. POLISINI: You can, but in this case,  
5 once you look at it with a little more scrutiny, what you  
6 see is the no effect data -- let me back up.

7 There was a whole evaluation done. If you  
8 remember that graph that I presented or slide of all --  
9 all the EPA data broken out by adverse effect, and I  
10 think if you go down like maybe -- to the EPA slide --  
11 that one there, okay.

12 All these data points that are up here are  
13 no effect and low effect results broken down by different  
14 categories, different adverse effects.

15 That's after a screening was done of the  
16 data to throw out all the ones that didn't meet their  
17 minimum requirements for the kind of experiment data.

18 And so after they did that screening, they  
19 threw out a lot of data. The ones that were remains were  
20 evaluated, and still there's so much overlap of the NOAEL  
21 and LOAEL that the mean wouldn't tell you anything  
22 essentially, and so you're left with a lot of uncertainty  
23 about when an adverse effect would occur.

24 MR. BERMAN: Well, let's say that you  
25 eliminated some -- some of the studies because they

1 didn't meet a solid criteria of good judgment or  
2 whatever. Then you have something left of the sample.

3 Right?

4 MR. POLISINI: Right.

5 MR. BERMAN: You have a sample which you  
6 say is good data LOAEL.

7 MR. POLISINI: Right.

8 MR. BERMAN: And a sample which is good  
9 data for the NOAEL. So you compute a mean to those and a  
10 standard deviation and you can ask those significantly  
11 different.

12 So the first question is: Is there a  
13 significant difference if you do just an analysis in this  
14 case of the NOAELs or LOAELs, or do you come to the  
15 conclusion that you just stated that if you ask is there  
16 a statistical difference, a significant difference, the  
17 answer is no?

18 MR. POLISINI: I --

19 MR. BERMAN: It seems to me a perfectly  
20 straightforward quantitative piece of analysis that you  
21 always do with data.

22 I mean, I don't know anything about this  
23 kind of data, but I think that that's a standard  
24 procedure in dealing with -- you've got two categories  
25 and you're saying that they overlap.

1                   Well, that's true, but there's a mean and a  
2     standard deviation. So there are quantitative techniques  
3     for saying is there truly a statistical difference or  
4     not -- significant difference.

5                   MR. POLISINI:    And -- and I would agree  
6     with you, that would be one way to approach the data if  
7     it met the criteria for doing a statistical test, but  
8     I -- what I would say to you is there's so many sources  
9     of variation in this data source -- in this data set,  
10    that it's impossible to do a statistical test like that.

11                  Because the form of the selenium that was  
12    used is different in many of the tests; the method of  
13    administration is different in many of the tests; species  
14    are different in many of the tests; the length of the  
15    exposure is different in many of the tests; the adverse  
16    effects is obviously different in many of the tests.

17                  So the sources of variation swamp any --  
18    any sort of ability to be able to make that kind of  
19    statistical test.

20                  This isn't -- these aren't sequential  
21    measurements of a single variable is what I'm saying.

22                  MR. BERMAN:    Well, so it's multiple  
23    variables.

24                  MR. POLISINI:    Right.

25                  MR. BERMAN:    Those are also -- there are

1     also a large variety of standard statistical tests for  
2     dealing with multiple variables.

3                 I mean, there's things like novas and  
4     nuances of variance and there's other things you could  
5     do.

6                 I mean, it's just that it seems to me you  
7     have all this data, and I don't want to just belabor this  
8     point. What you say is well, they overlap. They look  
9     like they overlap.

10                So you're putting in the art form and I'm  
11     asking for a little more scientific or technical criteria  
12     for saying are they really different.

13                MR. POLISINI:   And I understand the  
14     question you're asking and I use multi variable  
15     statistics in a lot of the investigations I do, but this  
16     type of data -- I'm unaware of those multivariate  
17     techniques ever being applied to a data set like this,  
18     except to describe the percentage of variance associated  
19     with each one of those different characteristics I talked  
20     about.

21                MR. BERMAN:   Well, you could do that. I  
22     mean --

23                MR. POLISINI:   Yeah.

24                MR. BERMAN:   -- how many data points you  
25     have? You might have -- but at least it would seem to me

1     that that -- you assert that this is an art form, but I  
2     think there are some techniques that one should apply  
3     before you resort to lowering your standards. There's an  
4     art form that doesn't necessarily belong in a scientific  
5     investigation.

6                 I consider that a lower standard, until you  
7     have exhausted all known principles of analysis of the  
8     data and say we look at that and we find there's nothing  
9     in the literature that can analyze this data in any other  
10    way but an art form.

11                Do you want -- is that your conclusion?

12                MR. POLISINI:   No. There are standard  
13    methodologies to investigate this -- an estimate for a  
14    central tendency of NOAELs and an estimate for a central  
15    tendency of NOAELs.

16                It's not a mean kind of thing. It's to  
17    discard samples and fallback.

18                MR. BERMAN:    So presumably you've done  
19    that and looked at the central tendencies?

20                MR. POLISINI:   No. What I did is looked  
21    at the EPA data where they went through and developed  
22    toxicity values for selenium, and their value is not in  
23    my estimation significantly different than what was used  
24    in the Presidio, the Presidio wide cleanup levels.

25                MR. BERMAN:    When you say it's not



1     significant, there is an art form for significant and  
2     there's a scientific form for significant.

3                 In the scientific form, you apply some kind  
4     mathematical statistical analysis and derive whether your  
5     conclusion is significant.

6                 In an art form, you look at it and wave  
7     your hands. So I'm just trying to find out what is  
8     the -- the technical depth of analysis that's involved  
9     here.

10                When I don't see any of that kind of -- I  
11     don't see that language appearing anywhere in what I've  
12     seen.

13                Maybe it's in the letter that we haven't  
14     seen, but so far I haven't seen any of that, and it makes  
15     me feel uncomfortable, and this is a complicated issue  
16     and there are mathematical techniques for dealing with  
17     it, and maybe it's all been done and it's in your desk  
18     drawer somewhere, but it isn't in any documents that --  
19     that the public has been able to find.

20                MR. POLISINI: Yes, you're right, and what  
21     I tried to convey was that we accepted the analysis of  
22     the toxicity data that was done by the Presidio wide  
23     cleanup levels. We didn't decide to develop a new NOAEL  
24     or a new LOAEL.

25                My whole analysis was involved in accepting

1     those NOAELs and LOAELs that the Presidio wide document  
2     developed, because that was a long process over many  
3     years, and look at the other criteria where there might  
4     be some uncertainty and whether or not the value that  
5     would be developed for the avian invertebrate was going  
6     to be protective.

7                 So there is -- you're not going to get any  
8     more statistical analysis from me if that's your  
9     question.

10                MR. BERMAN:   Well, I'm -- I'm not  
11     questioning your professional competence.  I'm just  
12     looking for ways of -- of restricting the conclusions  
13     that are based on art form, because that requires, you  
14     know, faith on -- a certain kind of faith, and it's hard  
15     to be objective when someone says, "Well, if you're  
16     not -- if you're not knowledgeable in the art, you won't  
17     understand it."

18                Just -- I mean, I'm a community member.  
19     I'm not a biologist dealing with these issues, but the  
20     lack of what I would call supporting quantitative  
21     analysis behind the conclusions is bothersome.

22                MS. FANELLI:   Jim, your slides I think  
23     that follow this one talk about how the cleanup level  
24     numbers were derived.

25                Would they be of any help to look through?

1                   MR. POLISINI:   Well, I'm reluctant to go  
2   through that whole presentation again.

3                   I guess all I could offer you in attempting  
4   to answer your question is that every factor that I  
5   looked at said that the analysis done for the Presidio  
6   wide calculations was protective or overly protective.

7                   So when I looked at bio accumulation, bio  
8   accumulation's actually less in the diet of the  
9   invertebrate bird.  So it's going to get less of a dose.

10                  Other factors like the size of the home  
11   range relative to the size of the site, you know, they  
12   all appear to be protective or overly protective.

13                  So in my estimation, the cleanup -- the  
14   value of two milligrams per kilogram would be protective.

15                  There are a whole other range of values  
16   that are outside of the risk assessment, strict risk  
17   assessment evaluation that would recommend that the two  
18   milligram per kilogram value be used, and those are  
19   things like the nearness of significant habitat for any  
20   receptors like the modeled robin.

21                  Because if you increase -- if you lower the  
22   cleanup value, it's going to impinge on those significant  
23   habitats because you're going to have to have to remove  
24   some of that habitat.

25                  That habitat actually acts as a reservoir

1 for any receptors that would be moving out of the site  
2 and actually supplies material in the dietary intake that  
3 would lower the dose from this site itself.

4 So, you know, everything I looked at looks  
5 as if it's conservative or overly conservative, and  
6 that's the best answer I can give you.

7 MR. BUDROE: I've got a question. What  
8 was the scientific specification for the document that  
9 the Presidio turned out from going to the TBV high to TBV  
10 low?

11 MR. POLISINI: Going from the TBV to high?

12 MR. BUDROE: I mean, obviously the  
13 Presidio wide cleanup document gives -- for each  
14 intoxicant, it gives a TBV low and high, and the general  
15 procedure has been to go low.

16 In this RAP, you know, they've switched to  
17 high.

18 I didn't see a justification anywhere in  
19 the document for doing that. There's no decision  
20 criteria. It's completely opaque. It's like all of a  
21 sudden we're just going with this.

22 So all right. Is there a lack of  
23 confidence in the TBV low that eventually cleanups are  
24 developed on or what happened?

25 Because I'm not -- there's nothing in there

1     that justified the change.  It's just not addressed at  
2     all.

3                 MR. POLISINI:  Well, I wasn't tasked to  
4     look at that to see what the justification was for going  
5     from the TBV low to the TBV high.

6                 What I was asked by this group was to  
7     evaluate the TBV high developed concentration and see if  
8     it was protective or not.

9                 Okay.  So we can look at the document and  
10    see what the justification is.  I don't -- I didn't read  
11    the whole document.

12                What I did is look at the value that was  
13    developed, see how it was developed and determine whether  
14    or not I thought it was protective or not.

15                So you're saying nowhere in that document  
16    is a statement about why the --

17                MR. BUDROE:  Correct.

18                MR. POLISINI:  -- TBV high was selected.

19                MR. BUDROE:  Correct.

20                MR. POLISINI:  That's essentially a risk  
21    management decision, not totally a risk assessment  
22    decision.

23                MR. BUDROE:  Well, yeah, you wind up  
24    getting into where this risk assessment ends and risk  
25    management begins.

1 MR. POLISINI: Right.

2 MR. BUDROE: But that's something that  
3 needed to be addressed in the document. What happened is  
4 it was not addressed.

5 MR. POLISINI: Okay.

6 MR. BERMAN: But anyway, your statement is  
7 that taking the high value, you started from that and did  
8 your analysis as to whether that's protective, right?

9 MR. POLISINI: Correct.

10 MR. BERMAN: So, you know, it may or may  
11 not be a moot point. I mean --

12 FACILITATOR KERN: But that is the one  
13 thing that changed. All the analysis that Dr. Polisini  
14 for us, none of those variables changed, the home range,  
15 the percentage of diet of worms, all that was the same.  
16 The one thing that changed was the TBV went from .13 to  
17 1.32, a whole order of magnitude, and that's -- that's  
18 something that's fairly significant because the TBV low  
19 actually produces a cleanup level that's below the  
20 detection limit or what was commonly used as a detection  
21 limit here of .5, but the .13 produces cleanup level .2.

22 So what I -- when I read in the Presidio  
23 wide cleanup levels document, it says the TBV highs can  
24 actually produce adverse effects. I mean, that's a  
25 general blanket assertion about all TBV highs, and so --

1 I mean, back in the day when we were trying to get good  
2 protective levels, it was a decision to get -- to go  
3 through the TBV low or those based on detection levels  
4 and then we got into the background level discussion and  
5 all those things got adjusted, even according to  
6 lithology.

7 So I guess what we're scratching our heads  
8 now about is -- we appreciate the comment that you  
9 believe that it's protective, but there's -- there our  
10 cleanup level document says the TBV high can produce  
11 adverse effects, so that's a little bit in contrast to  
12 you're saying it's protective.

13 MR. POLISINI: Now, let me give you a  
14 response to that.

15 FACILITATOR KERN: Okay.

16 MR. POLISINI: I'm unfamiliar with any  
17 site except a very small site or a sort that has an  
18 endangered species or a listed species or species of  
19 concern where a TBV low value was used automatically.

20 That's definition an LOAEL where you  
21 wouldn't expect an effect.

22 There's an area between the TBV low value  
23 and TBV high concentration that the -- the cleanup levels  
24 usually set, somewhere in that boundary organizes, okay,  
25 between those.

1                   Now -- sorry. I lost my train of thought.

2           You said why it was changed.

3                   FACILITATOR KERN:   Well, we don't know why  
4           it was changed from the TBV --

5                   MR. POLISINI:    Oh, yeah. I remember what  
6           I was thinking.

7                   Now, it is true that a continuous dose at a  
8           TBV high value would be expected, given the same  
9           solubility, so the same compound, given the same route of  
10          administration, given the same length of administration,  
11          to produce whatever that adverse effect was that was in  
12          the toxicity, okay, if the species.

13                   So there's five uncertainties right there,  
14          right? And that's contingent on that -- that dose being  
15          administered over that period of time.

16                   What I'm saying is given the size of the  
17          site relative to the home range of the robin, that it's  
18          unlikely that a robin is going to get that dose  
19          continuously over that period -- that period of exposure.

20                   And, in fact, given the surrounding  
21          significant habitat that I was trying to make a point  
22          would be valuable to preserve, they're more likely to be  
23          in that site, the surrounding significant habitat than in  
24          this area that's going to be disturbed.

25                   FACILITATOR KERN:   Mm-hmm.



1                   MR. POLISINI:    So what you're saying is  
2   technically true if they get that dose at all those --  
3   with all those qualifiers that I gave you, then you would  
4   expect that adverse effect, but given the size of the  
5   home range, the significant habitat, the probability that  
6   what's out there and the fact that you're detecting it at  
7   some level in surface soil and it hasn't been washed out  
8   by rain would lead you to believe it's not voluble as a  
9   toxicity experiment; otherwise, it would have been washed  
10  out of the surface.

11                   So there are all those conditions.

12                   FACILITATOR KERN:    I appreciate -- I  
13  appreciate your point, and I'm taking that in.  Let me  
14  offer another thing that's in the back of my mind.

15                   When I looked -- it took me a while to find  
16  this document.  In fact, some of my colleagues actually  
17  found it, and then we took our -- it took a while to  
18  figure out what was going on.

19                   There's the red dots, the green dots and  
20  these sort of gold dots off to the right.  So the red is  
21  the reproduction, growth and mortality, and I guess the  
22  EPA method is to use those geometric mean of those three  
23  categories to produce their corresponding TBV or toxicity  
24  reference value, and they also went through a process of  
25  looking at the NOAELs for that, and it produced a cleanup

1 value of 1.1 or 1.2.

2 MR. POLISINI: That's the eco SSL.

3 FACILITATOR KERN: Right. For the EPA.

4 MR. POLISINI: Right.

5 FACILITATOR KERN: And I was wondering. I  
6 don't know if you know this, why wasn't that value  
7 offered up as a potential cleanup value? Because that  
8 would have come from .5 to 1.1 or two, whatever it was.  
9 That might have -- and that's based on NOAELs, I think,  
10 up here, how they did it -- well, there are a few little  
11 steps in their process.

12 MR. POLISINI: Yes. Exactly.

13 FACILITATOR KERN: And that might have  
14 actually been something that we would have understood  
15 because it kind of met -- it met an actual process that  
16 the EPA was going -- I'm kind of going back to what Sam  
17 was saying, that they went through a set of steps.

18 I was wondering why that value wasn't  
19 offered or considered or -- it really never got to the  
20 point where we could talk about the risk management part  
21 of it.

22 It went from super protective or maybe too  
23 protective or some kind of protection of .5 to the  
24 maximum that had been discussed, and that was a value  
25 from the Army days that all of us kind of shudder at and

1 kind of -- oh, no, we don't want that value.

2 We didn't get to consider -- it just took  
3 us so long to catch up to figure out what was happening.  
4 Unfortunately we got to see this with just a few days ago  
5 in the comment period.

6 We really appreciate that you're back, but  
7 that's kind of a question that I have, is why didn't we  
8 go with a process like this? I mean, like the EPA.

9 MR. POLISINI: Yeah. First of all, this  
10 one -- this came out in 2005, what you're looking at on  
11 the wall right here from the EPA.

12 FACILITATOR KERN: This is 2007, but --

13 MR. POLISINI: Well, no. It's 2005. I  
14 think it's 2005. The eco SSL.

15 MR. BUDROE: July '07.

16 MR. YOUNGKIN: It's in a 2007 document.  
17 It might have been earlier.

18 MR. BUDROE: It might have been the first  
19 draft.

20 MR. POLISINI: It was. The Presidio wide  
21 values were set I think in 2002, first time, and our  
22 standard procedure in the risk assessment group in toxics  
23 is not to go back and evaluate a -- I want to call it  
24 base wide, but area wide, a large facility like the  
25 Presidio. Not to go back and evaluate base wide cleanup

1 values that were set unless there's a significant change  
2 in the toxicity value which causes it to go a lot lower  
3 or a significantly different adverse effect shows up that  
4 we didn't know about when those values were set.

5 Otherwise, you end up with moving  
6 parameters in a cleanup that aren't, you know, set by a  
7 single standard or with a single set of assumptions.

8 So that's why -- you know, I didn't bring  
9 this document.

10 FACILITATOR KERN: Nothing.

11 MR. POLISINI: And I don't know why this  
12 wasn't put in, but that would be one reason why we  
13 wouldn't go back as a risk assessment group in toxics and  
14 hold it there's the SSL and use that in the procedure.

15 FACILITATOR KERN: Oh, I appreciate that.

16 MR. POLISINI: Yeah.

17 FACILITATOR KERN: But as sort of a  
18 functional way, but that same idea coming back to the  
19 public could have been used -- if there was a desire to  
20 relax this particular cleanup value, which we still don't  
21 really know the rationale why this particular one.

22 It hasn't really been explained, but that  
23 would have been more of a scientific explanation for  
24 actually doing it.

25 MR. POLISINI: I would prefer not to use

1 the term "relaxed," but I would say that the site was  
2 screened first using the Presidio wide values and then at  
3 least the TBV high value was evaluated based onsite  
4 specific parameters.

5 You might use the term relax, but I'm just  
6 saying we're evaluating this site by itself using site  
7 specific parameters for that site to determine whether  
8 that TBV high related value was protective or not.

9 FACILITATOR KERN: John.

10 MR. BUDROE: One thing that is kind of  
11 nagging on me here, the TBV low is .13. The highs of a  
12 magnitude higher. The US-EPA TRV is a lot closer to the  
13 TBV low than high.

14 Wouldn't that give you more confidence than  
15 the TBV low if you're looking at roughly the same data  
16 set?

17 MR. POLISINI: Well, the eco SSL -- the  
18 TBV low for the eco SSL is meant to be the same kind of  
19 number as the TBV low in the --

20 MR. BUDROE: Well, the TRV --

21 MR. POLISINI: -- presidio wide. It's  
22 meant to be a NOAEL.

23 MR. BUDROE: If you look how they got that  
24 number, the highest NOAEL above it.

25 MR. POLISINI: If that's left over from

1 ambient water criteria technology. You're talking about  
2 the geometric mean of the NOAELs drives it above the  
3 lowest bound of LOAEL.

4 FACILITATOR KERN: Right.

5 MR. BUDROE: Actually, they set it at the  
6 highest bounded NOAEL. Below the lowest --

7 MR. POLISINI: Lowest.

8 MR. BUDROE: -- bounded NOAEL, but you're  
9 still looking at the lower end of the range rather than  
10 the higher end of the range.

11 And I'm assuming that all the other bio  
12 accumulation parameters and such the Trust uses are going  
13 to sit with it.

14 Otherwise what you're doing is saying those  
15 other factors could be adjusted. Well, you're picking  
16 what cleanup standard you really want to hit and then  
17 you're adjusting the parameters just to make it force  
18 from there.

19 MR. POLISINI: I didn't understand that.

20 MR. BUDROE: Well, I'm assuming that  
21 things like range size, bio accumulation factors and  
22 everything that were in the Presidio document were good.

23 You know, that they're going to hold true  
24 for calculating that screening level.

25 It sounds like now -- the impression that

1 I'm kind of getting is that the cleanup level is  
2 inconvenient, so rather than changing things like bio  
3 accumulation factors and such, it's just let's change --  
4 we have a target we want to hit as far as the cleanup  
5 level. Let's change the TBV which we're going to use.

6 MR. POLISINI: I don't have any target  
7 level I'm supposed to meet.

8 MR. BUDROE: I'm not saying that it  
9 doesn't say the Trust doesn't.

10 MR. POLISINI: That's between you and the  
11 Trust.

12 FACILITATOR KERN: Well --

13 MR. BUDROE: But that's the problem.

14 MR. POLISINI: That's the --

15 MR. BUDROE: That's something that would  
16 go into the comments.

17 MR. POLISINI: Maybe this will answer your  
18 question. Okay?

19 The evaluation I came to that I said that  
20 for this site two milligrams per kilogram for selenium  
21 protective would not necessarily hold for a site that was  
22 larger, fifteen acres, twenty acres wouldn't necessarily  
23 hold for a site that didn't have significant habitat to  
24 it. There are all sorts of site specific criteria.

25 I'm not adjusting the home range to justify

1 the cleanup value. I'm just giving you my evaluation of  
2 whether or not based on the site specific parameters here  
3 at this site, would those values be protective, and I  
4 think they would be.

5 MR. BUDROE: That gets how to define  
6 protective, because that gets down to the question how  
7 you design safe. Protective once you look at risk  
8 management.

9 MR. POLISINI: Correct.

10 FACILITATOR KERN: Would it be  
11 reasonable -- would they coincide with our cleanup  
12 values, really a large thick book of them, if we just  
13 adjust to the TBV highs, we'll have a whole different  
14 cleanup pattern here.

15 So I'm still confused --

16 MR. POLISINI: Different from what?

17 FACILITATOR KERN: Well, we have fairly  
18 restrictive cleanup values, I would say, and we're -- not  
19 to use the word relaxed, but we're moving this one  
20 analyte.

21 Why not move all analytes to the TBV high?  
22 I'm still -- and maybe it's just not a question for you.

23 From your perspective, I understand why I  
24 think this one is protective. I don't understand why  
25 move this one. Why do it?



1                   So --

2                   MR. KETCHAM:   Where do we get this  
3   question answered?  The place we were at last meeting was  
4   saying if it's going to change from .5 to 2.0, that seems  
5   like something we should understand why it's changed.

6                   What we're hearing today is that 2.0 is  
7   just fine.  It's protective, and we wonder --

8                   MR. POLISINI:   I didn't say just fine.  It  
9   was protective at this site, right.

10                  MR. KETCHAM:   I'm speaking very  
11   differently than everyone else has been speaking so far.

12                  The interest that I think we all have is we  
13   want a site cleaned up effectively so it's safe going  
14   forward, and what I hear you saying is a standard of 2.0  
15   is going to make it safe going forward.

16                  So we should feel good about this plan, and  
17   I know what's causing so many people here to be stuck on  
18   that is well, why didn't we just say .5, you know, and  
19   have everybody safer, even more protective, and there  
20   must be some reason why it changed from .5 to 2.0.

21                  But you're not in a position to give us an  
22   answer to that question or why it changed.  That's for  
23   someone else to answer, so we're left to either not have  
24   that question answered and just say that's okay.  We'll  
25   keep going with 2.0, or we have to go to somebody else to

1 get that question answered.

2 That's at least --

3 MR. POLISINI: Very good summary.

4 MR. KETCHAM: That's where I am right now,  
5 and, you know, I don't think we're going to get any  
6 further asking you questions.

7 Who do we ask the question of why did it  
8 change from .5 to 2.0, and what was the rationale for  
9 making that change.

10 MS. FANELLI: I think if you actually go  
11 back to the feasibility study, there is a long discussion  
12 of the chemical analysis data, if these chemicals are  
13 collocated with other contaminants, if they're looked at  
14 with background concentrations or not.

15 So again, it's a site specific number, but  
16 it wasn't -- John, we don't pick a number and go for it.  
17 We look at the data, as well, to try to understand what  
18 it means.

19 So there is some description of that in the  
20 document. I'm not in a position to give you a  
21 presentation on that today, but we did discuss and there  
22 is long discussion of all the chemical analysts' results,  
23 where the selenium and all the other metals are located,  
24 what they're collocated with, if anything, and there are  
25 other elements to the discussion of the two that are

1 included in the feasibility study in the RAP.

2 MR. BUDROE: That's where I have to  
3 totally disagree with that. There is no good coherent  
4 scientific justification for changing that level.

5 It just is never really laid out. The  
6 decision is totally opaque. There's no transparency to  
7 it whatsoever.

8 FACILITATOR KERN: And we have had  
9 discussions around the science of the -- the collocation  
10 and the background. That -- you know, that has just not  
11 been shown.

12 This is a -- we're seeing contaminants at a  
13 landfill, and so that's why we got the conversation  
14 through whether it was protective.

15 So we could go back and argue with -- as  
16 you suggest with the Trust, but I'm not sure that we're  
17 going to be -- going to be heard there.

18 MR. POLISINI: If I could just re -- if I  
19 could emphasize the point I made before, which feeds off  
20 of the statement that you just made, which I thought was  
21 a great summary, that I'm unaware of any site where a  
22 cleanup value is set at a NOAEL based concentration  
23 except where it's very small.

24 Somebody just wants to get it over with or  
25 there's an endangered species that needs to be protected

1 without what's called take.

2 Most cleanup values are somewhere between a  
3 NOAEL and a LOAEL, and if you only change the bio  
4 accumulation into earth worms for using the same toxicity  
5 values, everything else the same as in the Presidio wide  
6 values, the TBV high value comes out to be 2.6 milligrams  
7 per kilogram, and the bio accumulation for earth worms  
8 done by regression is probably a more accurate estimate  
9 than the method used in the 2002 Presidio wide study or  
10 setting of those facts.

11 So that two milligram per kilogram is  
12 actually between the LO -- the NOAEL value and a LOAEL  
13 value, if that gives you any comfort, and that's about  
14 where I see every cleanup somewhere between that LOAEL  
15 and NOAEL.

16 FACILITATOR KERN: Well, I want to say  
17 that you have always given me comfort in your  
18 explanations over the years. It's been appreciated.

19 I'm at a place where I can understand what  
20 you're saying now after we've had the chance to look  
21 through this, and I understand where your thinking is.

22 I'm not sure that I understand any close  
23 logic of taking an individual cleanup level out of thin  
24 air and moving it that decimal.

25 That doesn't work for me in a national

1 park, but that's why we're having this elongated  
2 discussion.

3 I think over the years, we have not really  
4 had the opportunity to talk to you, like two sessions  
5 that we have -- actually three, and that's been  
6 appreciated.

7 Does anybody else have any discussion or  
8 comments or addition? I really appreciate you being here  
9 tonight.

10 MR. POLISINI: Sure. You're welcome.

11 MR. DODSON: Did you select the two  
12 milligrams per kilograms?

13 MR. POLISINI: No.

14 MR. DODSON: Who selected it?

15 MR. POLISINI: It was developed in the  
16 Presidio wide -- the two concentrations based On the  
17 NOAEL or LOAEL was on the Presidio wide. I did not  
18 select them. I was asked only by this group  
19 and by the project manager in toxics to look at whether  
20 two milligrams per kilogram would be protective at this  
21 site.

22 MR. DODSON: And you said it would.

23 MR. POLISINI: I said it would.

24 MR. DODSON: And when did you first say it  
25 would be?

1                   MR. POLISINI:    Three, four months ago,  
2   five months ago.

3                   MR. DODSON:    Was the first time the public  
4   knew about it April 12th?

5                   MS. SUNGA:    Before that.

6                   MR. POLISINI:   In November, we were  
7   talking about it internally, I think.

8                   MR. DODSON:    When did the public know  
9   about two milligrams?

10                  MR. POLISINI:   You're talking to the wrong  
11   guy. I'm the risk assessor. You need to talk about  
12   whoever --

13                  MS. FANELLI:   Was that not included in the  
14   feasibility study? I believe I forget when the  
15   feasibility study was issued.

16                  MS. SUNGA:    It was later than the study,  
17   but it was presented as proposed cleanup level in the  
18   RAP, in the Remediation Action Plan.

19                  MR. DODSON:    When?

20                  MS. SUNGA:    In the Remedial Action Plan  
21   study when it went out, but it was discussed in the RI  
22   study.

23                  MS. FANELLI:   Which I believe was issued  
24   in the late 2009, fall and then the RAP went out in.

25                  MS. SUNGA:    March.

1 MS. FANELLI: In March.

2 MS. SUNGA: A month before more March. It  
3 went out to the RAB members, I think.

4 MR. DODSON: So you're saying the public  
5 always knew it was going to be a two milligrams per  
6 kilogram standard for the last nine months?

7 MS. FANELLI: It was discussed in the  
8 feasibility study and then it was formally proposed in  
9 the RAP, which was issued for public review in March.

10 MR. DODSON: Didn't you use this chart  
11 that you had on the board there for a while to make some  
12 judgments? You said it was an art form; right?

13 MR. POLISINI: Yes.

14 MR. DODSON: So it's kind of like a  
15 Rorschach test?

16 MR. POLISINI: Not as vague as a Rorschach  
17 test. I wish it were that easy.

18 MS. SUNGA: It was a range for the robin.  
19 And then the plan for eco sources. Between the number  
20 for eco source, SSL numbers were, they were presented in  
21 the cleanup level document, as well.

22 So the robin range -- I think the high  
23 number's 2. The plant's highest number is 17, and if  
24 there's other wildlife and number, that was presented in  
25 the cleanup level.

1                   MR. DODSON:   When did you first use the  
2   EPA data to determine the two milligram per kilogram  
3   number?

4                   MR. POLISINI:   I didn't.  I said if you  
5   leave the toxicity data and everything the same as was  
6   done in the Presidio wide document of 2002 and you use  
7   only the bio accumulation -- newer bio accumulation model  
8   from the EPA document for earth worms, you end up with  
9   2.6 as being the TBV high value.

10                  I didn't use any -- first of all, I wasn't  
11   involved in the calculations, the original calculations  
12   to develop these values for the site, and I didn't use  
13   the EPA toxicity value.

14                  MR. BERMAN:   Is there a -- a document  
15   where you -- that's available to the public where your  
16   methodology and calculations are all sort of written down  
17   so someone could read it and follow it and come to the  
18   same number?

19                  MR. POLISINI:   Well, I don't know about  
20   those last parts about being able to come to the same  
21   number if we didn't understand it.

22                  There's a memo of understanding that I  
23   referred to for Medi to explain the slides for the public  
24   meeting and what the meaning of those slides were and how  
25   the TBV value comes out for 2.6 milligrams per kilogram.



1                   It's in that memo. You have my e-mail.

2           I'll send you the spreadsheet for the calculations.

3                   MR. BERMAN:    So there is actually -- let  
4   me put it this way: If I went to an aviary biologist  
5   expert and said, "Here's this spread sheet that concludes  
6   that for the Presidio that the two milligrams per  
7   kilogram was protected," would that expert be able to  
8   look at your spreadsheet and come to the same number?

9                   MR. POLISINI:   They'd come to the same  
10   number, yeah.

11                  MR. BERMAN:    So there's enough information  
12   in the spreadsheet so that someone who is skilled in the  
13   area?

14                  MR. POLISINI:   Sure, because the hazard  
15   portion is just set at 1. All you do is calculate the  
16   soil concentration and it would give you the same dose as  
17   the TBV high. That's all it is.

18                  It's about an eight -- it was in that --  
19   it's in the overheads that I used for the public  
20   presentation. There were about seven parameters.

21                  MR. BERMAN:    But there's a lot of factors  
22   involved.

23                  MR. POLISINI:   Right.

24                  MR. BERMAN:    Each one of those factors  
25   then has some uncertainty in them.

1 MR. POLISINI: Right.

2 MR. BERMAN: When you put that all  
3 together, you can't come out with two. You have to come  
4 out with two, plus a minus something. There's a lot of  
5 uncertainty here.

6 I'm getting back to my same initial  
7 question. I don't really see an analysis here that  
8 demonstrates what I'd call quality scientific procedures.

9 The value of two is based on a number of  
10 inputs that you state here in public has certain  
11 variances associated with them means that there's got to  
12 be an uncertainty associated with that, too.

13 MR. POLISINI: Yeah, there is, and there  
14 are ways to do that to do, you know, probabilistic risk  
15 assessment.

16 But then you come up with a probabilistic  
17 distribution of your concentration, which to me is  
18 undecipherable to most members of the public.

19 MR. BERMAN: Well, I'm not talking about  
20 the public at this moment. I'm talking about someone who  
21 is an expert in the field looking at the numbers that you  
22 based your calculation on.

23 Would they come to the same conclusion?  
24 I'm not an expert in the field. I'm not capable of doing  
25 that, and I -- but what I am capable of is recognizing

1 something which is -- which lacks what I would call good  
2 quantitative analysis, and I don't see it here, and  
3 therefore I would say how could an expert come to that  
4 same number without doing something beyond what you're  
5 doing.

6 I mean, I -- it -- it's -- it's that -- as  
7 a member of the public here, we have seen something that  
8 surprises by the change on the use of TBV high, and that  
9 was not in any procedures before. So it caught us off  
10 guard.

11 So now we're trying to be protective. Not  
12 of -- of what you do, but protective of what the analysis  
13 here is, and you say well, you take these numbers and you  
14 arrive at 2 for the -- for the allowed level in this site  
15 here, and I'm asking you if a person that's an expert in  
16 the field looks at your spreadsheet, would they come out  
17 with the same answer?

18 And you say yes, even though there's  
19 uncertainties in all the numbers.

20 MR. BUDROE: I think I get a little bit of  
21 the difference between what's going on here, but I pretty  
22 much did the same -- use the formulas in the original  
23 presentation and got the same owe he the same output. I  
24 mean, that's not a problem with reaching it. That's all  
25 the -- all the quantitative part.

1           The qualitative part is deciding where you  
2 think it's protective and that's as much of a management  
3 call, well, we think this is good enough, and eco tox is  
4 a lot -- the philosophy is a lot less protective than a  
5 are you man health risk assessment.

6           If we do human health risk assessment and  
7 you're thinking NOAEL. For eco tox, the concept was kind  
8 of well, you can afford to lose a few individuals as long  
9 as you're not severely impacting the species as a whole,  
10 and that's where, you know, it gets down to define  
11 protective.

12           Define safe. Well, safe is where you want  
13 it to be. You decide how much risk is acceptable, and  
14 that's what this is. You're deciding how much risk for  
15 the species is acceptable, and that becomes a risk  
16 management.

17           MR. POLISINI: And, you know, I just want  
18 to say I can understand that you're concerned because it  
19 sounds like in the past, you've dealt only with ambient  
20 values and no effect concentrations.

21           MR. BERMAN: Right.

22           MR. POLISINI: This is the first time  
23 you've been asked to consider something that's not, and I  
24 can understand your concern. If I were in your seat, I'd  
25 be just as concerned.

1                   But, you know -- and I think the summary  
2                   you just heard was -- was pretty accurate.

3                   MR. BERMAN:    So what -- as a naive member  
4                   of the public, what is the uncertainty in this value,  
5                   too? Is it plus or minus 1?

6                   I don't know, because if I -- I can just  
7                   take a policy statement if I was in charge of policy and  
8                   I'd say well, that's the best estimate, and I like  
9                   protective to be at least one standard deviation below  
10                  the -- the calculated value.

11                  MR. POLISINI:   How do you come up with one  
12                  standard deviation? I'm just curious.

13                  MR. BERMAN:    I don't know. That's simply  
14                  a way of assuring that -- that there must be some  
15                  distribution associated with that number and that I'm  
16                  going to take the ninety percent percentile.

17                  MR. POLISINI:   Okay.

18                  MR. BERMAN:    That's the number.

19                  MR. POLISINI:   I wasn't arguing with you.

20                  MR. BERMAN:    Yeah.

21                  MR. POLISINI:   I can understand. I wish  
22                  that I could provide the kind of certainty and tell you  
23                  that this is one standard deviation, you know, lower than  
24                  what would be an effect level.

25                  I can't do that. I don't know anybody that

1 can, so --

2 FACILITATOR KERN: I have a sort of a  
3 separate question. It's more in the risk management call  
4 which apparently we don't really know how that works. It  
5 can just be kind of decided as long as it's protective,  
6 it's still okay to do.

7 If we were -- if we found -- let's pick a  
8 number, analyte at another site and we found -- we found  
9 additional studies for agencies that said oh, well, this  
10 particular analyte should yield -- the number -- the  
11 cleanup value that we're recommending, is that something  
12 that we can integrate back into the Presidio and re-  
13 evaluate a particular analyte's impact or what would be  
14 the process?

15 We're seeing the process of how a cleanup  
16 number is being changed. Can they be changed to a lower  
17 value through public recognition of studies and other  
18 sites? Is that within our ability to influence the  
19 department?

20 MR. POLISINI: Well, we're -- speaking as  
21 a risk assessor, I'm consultant to the risk manager, all  
22 right? But we're a risk driven organization, and so  
23 that's why we have so many risk assessors.

24 So if you provide us with information that  
25 indicates that a different value ought to be used in this

1 case, I mean, we would look at that new information and  
2 evaluate it and then advise, you know, the risk manager  
3 about what we think should be done, whether we think the  
4 Presidio wide value should be changed or --

5 FACILITATOR KERN: Okay.

6 MR. POLISINI: I mean, to my mind, that  
7 would be a site specific decision based on that site if  
8 you're talking about where that contaminants's present.

9 FACILITATOR KERN: One thing that comes to  
10 mind at this particular site that we're talking about,  
11 there's a lot of kids around.

12 I'm not talking about selenium. I'm  
13 talking about playgrounds and residents. So I have  
14 another analyte in my head that I'm -- there's more of a  
15 human health issue that would be a significant impact to  
16 humans, human health, and it could be a financial impact,  
17 too.

18 I'm just wondering -- risk management can  
19 cut both ways, and if we were to introduce studies or  
20 other documents that said other analytes should be lower,  
21 the department might consider that.

22 MR. CHESTER: Does this new selenium  
23 standard discuss -- does it now apply -- this new cleanup  
24 level apply all across the Presidio?

25 MR. POLISINI: No.

1 MR. CHESTER: It's site specific to this  
2 cleanup?

3 MR. POLISINI: To this group of sites.

4 FACILITATOR KERN: Any other questions?

5 MR. BERMAN: I would like to express  
6 thanks for your taking the time to come up here and  
7 educate us. We are a lay population and you've been very  
8 straightforward, and I think it's a real value to help us  
9 through this -- what we think is a -- perhaps policy  
10 change of some kind, but there's a certain amount of  
11 confidence that's generated by your being here.

12 MR. POLISINI: Well, thank you. I  
13 appreciate your -- I appreciate your concern, and I can  
14 understand, you know, where you're coming from.

15 If it seems a sudden change to you, I would  
16 want to know where that change is coming from, too, and I  
17 would say that, you know, everybody that's asked me  
18 questions has asked good questions. They all kind of  
19 bore into what the basic premises of what our eco  
20 assessment is. I hope I helped.

21 MR. BUDROE: I would imagine that since  
22 the memo from you to Medi wasn't a Trust document, that  
23 it's not going to be.

24 MR. POLISINI: I don't know.

25 MS. SUNGA: It will be included in the



1 response to comments. That will be included in the Final  
2 Remedial Action Plan as an appendix. It will be posted.

3 MR. BUDROE: Eventually, but not in the  
4 near-term?

5 MS. SUNGA: Hopefully in the next week.

6 MR. POLISINI: But I would say, just to  
7 tell you, I think we covered every issue that's in there,  
8 in all the comments and questions and exchanges that we  
9 had here.

10 MR. BUDROE: It's just having a hard copy  
11 of what got signed.

12 MR. POLISINI: Sure.

13 MR. BUDROE: So if Doug were to request a  
14 copy, that he could get a copy of that?

15 MS. SUNGA: I can send you a copy.

16 FACILITATOR KERN: She said she would send  
17 a copy.

18 MS. BLUM: You have a very soft voice.  
19 It's very hard to hear you.

20 MS. SUNGA: I will include it in a public  
21 document so all of you will get an e-mail when it's  
22 available.

23 FACILITATOR KERN: Thank you.

24 All right. I think we need to put a bow on  
25 this for the moment. Thank you very much for coming out.

1                   Let's see. I think it might be maybe  
2   appropriate to take a little break, maybe five minutes  
3   just to get a drink and then we can regroup and go to the  
4   quarterly report. That will give Dr. Polisini an  
5   opportunity to exit if he would like and not be part --

6                   MR. POLISINI: Since I only have a hundred  
7   miles to drive tonight.

8                   FACILITATOR KERN: All right. Let's take  
9   five minutes.

10                  (Recess taken).

11                  FACILITATOR KERN: We have a few other  
12   items with about thirty minutes left. I want to make  
13   sure that we talk to bring an and to Eileen. We're going  
14   to work in these two items, so I may have to facilitate a  
15   little bit to try to move us along.

16                  Eileen, maybe you want to ask a lot of  
17   questions, as with Brian, but just realize we have a  
18   limited amount of time.

19                  MS. FANELLI: Okay. So this is the  
20   quarterly report. You've all received it I think several  
21   weeks ago now in the e-mail, and I'll just go through  
22   some of the highlights of it.

23                  The first quarter, which was through March,  
24   we made some significant progress. Certain portions of  
25   the landfill 10 cover were certified and planted. The

1 data for fillsite 1, landfill 1 data report were released  
2 to public comments.

3 We received approval sampling for Baker  
4 Beach 1A and we did a work plan for landfill E, and I  
5 have pictures to lighten up the presentation to show you  
6 that work happening.

7 Under petroleum, we worked with Agnes, got  
8 some comments on our proposed assessment for tank 1213.1,  
9 realized our work plan.

10 I think you were all copied on it, and are  
11 gearing up to implement that work plan in the next week  
12 or two.

13 We had a fair amount of assessment  
14 activities at the 207 site and at the historical wall by  
15 Building 228, and we completed abandonment of wells in  
16 the Com/PX site, which received closure a quarter or two  
17 along, and DTSC issued closure on Building 65.

18 From a budget standpoint, the picture  
19 hasn't changed much other than what we have spent to  
20 date. We did receive new moneys for claims for the Army,  
21 so before you had seen claims received in the five  
22 million, we are now at 6.7 million, so that was very good  
23 news. We resolved several claims with the Army.

24 We are still looking at costs of about  
25 thirty million, which we are hoping to enjoy funding

1 through coverage under our insurance policy.

2 This is just the detail of where we are.  
3 Overall, we have approved today almost that one hundred  
4 million dollars in cost.

5 Of course not all of those are allowable in  
6 costs, and we are still looking at about fifty to sixty  
7 million dollars to complete the program.

8 The projects with the greatest activity --  
9 MR. BERMAN: Could you go back to the  
10 previous slide just for a minute?

11 MS. FANELLI: Sure.

12 MR. BERMAN: Sixty million, how does that  
13 differ from the thirty million that was in the previous  
14 side, the 29 and change?

15 MS. FANELLI: Excuse me. This is a cash  
16 lookout, basically. So it's still the same overall  
17 program cost, 157 million, 250 to complete.

18 We've added to this our -- we look at the  
19 Army advance, we look at our offsets, which are claims  
20 received and insurance, so we're looking at from a cost  
21 standpoint about 29 million in cash to complete the  
22 program.

23 This is just taking that and where we have  
24 spent, basically and how much more there is to spend to  
25 complete. So this doesn't separate out that cash part.

1                   So I guess in summary, sixty million to  
2     complete. We have about 29, 28 million that we're  
3     looking to fund through the insurance policies of that  
4     sixty.

5                   MR. BERMAN:    So do I understand this  
6     meaning that if we got every penny that you think you can  
7     get from the insurance policy, there still would be close  
8     to thirty million shortfall?

9                   MS. FANELLI:   There will be thirty million  
10    cash that the insurance company would be coughing up for  
11    the insurance policy for known and unknown sites.

12                  Meaning the Trust, yes, is not funding  
13    that, because it would be over our hundred million in  
14    deductible self-insured retention.

15                  MR. BERMAN:    So there's sixty million --  
16    I'm sorry to be so thick here. The amount needed to  
17    complete was 29 million from the previous slide; right?  
18    That's remaining cost?

19                  MS. FANELLI:   Mm-hmm.

20                  MR. BERMAN:    The next slide shows the  
21    sixty million as the total cost of the -- to complete;  
22    right?

23                  So -- and is that based -- that number is  
24    essentially the same as the 157, 250,000? Is that how I  
25    understand that?

1 MS. FANELLI: Yes. Here's the 157 in  
2 current budgets to complete. We have spent 97 million.  
3 I'm sorry. Very touchy, and I have sixty million just  
4 subtraction. I've spent 97. I have sixty million to  
5 spend on my budget of 157.

6 MR. BERMAN: Okay.

7 MS. FANELLI: This here is more of a cash  
8 flow.

9 MR. BERMAN: Thank you.

10 MS. FANELLI: And the greatest activity --  
11 no surprise -- is 8 and 10, fillsites 1, landfill 2,  
12 landfill E because we've been kicking off that assessment  
13 activity, and our quarterly invoice for DTSC oversight.

14 MS. MONAGHAN: Can I ask a question about  
15 8 and 10? I was looking to see that there was a budget  
16 overrun on the changes that we had to do this rainy  
17 season, and I didn't see that in this report.

18 MS. FANELLI: Right. There is not yet a  
19 proposed budget change. 8 actually is going to come down  
20 in cost budget-wise. 10 is going to go up, and I've been  
21 working through those numbers are our CFO.

22 If our Finance Department agrees with the  
23 budget changes in the budget, and 10 will be going up.  
24 It will be going up estimated -- probably a million  
25 dollars.

1 MS. MONAGHAN: Mm-hmm.

2 MS. FANELLI: But 8 will be coming down a  
3 little bit. Certainly not an offset of a million  
4 dollars, and 9 will be coming down, as well.

5 MS. MONAGHAN: Thank you.

6 MS. FANELLI: You're welcome.

7 Schedule-wise, current activities. Many of  
8 you may not know, but the Trust terminated our contract  
9 with HSR on the RAP4 site and we are contracted with  
10 Pacific States to complete the work.

11 We have given them a contract completion  
12 date of September 30th, and that would include graded  
13 area 9, which they won't begin until August.

14 5A, we've been talking about it. We've  
15 also talking with DTSC to finalize the RAP.

16 We get the comment document out, you  
17 probably saw it today that the draft remedial work plan  
18 and the construction document have been sent to DTSC for  
19 their review.

20 They're posted on our Sharepoint site. If  
21 anybody wants to see them and has difficulty getting on,  
22 let me know.

23 FACILITATOR KERN: Is there a process if  
24 you want to receive comments from us on the design  
25 documents for the work plan? I guess I'm asking both

1 DTSC and the Trust.

2 MS. SUNGA: We have provided comments on  
3 the draft, the first draft, and is this the first time --

4 MS. FANELLI: It's the first time that the  
5 RAB has seen it. Certainly you're welcome to send us  
6 comments, as always, on it.

7 So yes, it is posted. I was going to issue  
8 hard copies, but give me a call if you want to come in,  
9 talk about it or you want to look at a hard copy. It is  
10 posted on the Sharepoint site.

11 So what's posted is the draft doc, which  
12 the contractor will actually complete and will submit to  
13 the Regional Board for review.

14 We've posted the construction documents for  
15 the first construction phase, so that's both plans and  
16 specifications. We've posted the TPA plan that goes with  
17 those construction documents and we've posted the work  
18 plan.

19 FACILITATOR KERN: What's your timing  
20 based on your almost immediate desire to begin to get the  
21 comment?

22 MS. FANELLI: Our comments are ASAP,  
23 because we are trying to get out in the field very  
24 shortly.

25 We have procured a contractor. We haven't



1       awarded the contract yet, but we are likely -- our  
2       current low bidder who we're intending to award to is a  
3       company EBI, Evans Brothers, Incorporated to do the work.

4               The bid amount, the base bid amount for  
5       this work is a little north of eight million dollars.  
6       Half of that is for disposal costs. Over half of that is  
7       disposal costs for the material.

8               FACILITATOR KERN:   And that's for 1 and 2?

9               MS. FANELLI:   Correct.

10              On Baker Beach 1A, we did do some field  
11       work and we are working on the documents, updated F/S and  
12       RAP, and on 6A, we started the field investigation  
13       yesterday and it is ongoing.

14              The work plan was distributed to folks. I  
15       think you were all copied on it, and the -- our -- time  
16       wise, we remain optimistic that we're going to be  
17       substantially complete with the program by the 2014 time  
18       frame.

19              So that was all the words really and I just  
20       have some pictures.

21              Landfill 10, our contractor Pac States is  
22       out there. We have removed most of the jute netting from  
23       the portions that weren't planted.

24              They are inspecting the slope. The  
25       engineer's out there testing. The good news is that the

1 damage, the deep areas are fairly limited where we  
2 thought they were and the rest of the slope appears to be  
3 in fairly good shape and not requiring a lot of work.

4 SES is doing their review and analysis,  
5 and just today, the contractor began work trying to turn  
6 over the soil a little bit, the real areas.

7 The site is still very wet. I know we got  
8 a drizzle and rain just last week, but we're hopeful that  
9 they can get enough wind, if not sun, to dry it out so  
10 they can get it recompact.

11 And certain areas are better than others.  
12 The lower toe areas are still pretty saturated.

13 We're hoping to know by the end of this  
14 week, and the contractor will continue his evaluation.  
15 If we can get it repaired in the next two weeks -- if we  
16 can get the repair done in the next two weeks, then the  
17 plan is to plant in last week in June. So that's the  
18 top.

19 Here's a look at the slope actually without  
20 the jute netting on it. So you can see where we have --  
21 we knew we had them there, but overall, we were pleased  
22 that the slope was in as good a shape as we thought it  
23 was, as we found it to be.

24 MS. BLUM: You're planting this June. Are  
25 you going to need irrigation?

1 MS. FANELLI: We have a contractor on  
2 board to provide irrigation, and that will happen at the  
3 same time. The water will be turned on based on the  
4 biologist -- Natural Resources staff's direction that the  
5 plants are stressed and they need to be watered.

6 Right now the areas that are planted are  
7 still very, very wet. The areas that we repair will be  
8 dried out, so they will need some irrigation, we figure,  
9 shortly after planting.

10 Landfill 8 is substantially complete. Our  
11 contractor actually is a little shy of sand in the dead  
12 center of the landfill. He is supposed to be out there  
13 to repair it.

14 We did not terminate them for landfill 8.  
15 Hopefully they will be out there this week or we'll have  
16 to take some other action.

17 Overall, the landfill is done. There's a  
18 picture of it, and that's looking west.

19 The picture -- I might have shown this  
20 last -- last time -- is looking from the north/south.  
21 You can see the Public Health Services Hospital through  
22 the trees in the background.

23 That's the western edge of the landfill,  
24 and I believe Lew Stringer is starting to plant this. He  
25 might be starting to plant it tomorrow.

1 MS. THOMAS: Today.

2 MS. FANELLI: Today. We're happy with  
3 that.

4 MS. CHEEVER: When will the planting be  
5 finished?

6 MS. FANELLI: As soon as I get the sand in  
7 the center of the landfill. I'm hoping that that's  
8 within a couple weeks away.

9 On 207/208, we completed the excavation  
10 work there. It went very, very well. We think we got  
11 the vast majority of all of the petroleum contaminated  
12 soils from the 207 RU and the 208, which is the sump.

13 We put lots of material back. This was  
14 drain rock that was being placed in the area that's going  
15 to be underneath Halleck Street when it gets relocated.

16 Here's sandy soils that are being replaced  
17 over the site. Sand that needed to be placed, very nice  
18 looking material.

19 That's the area that will ultimately be the  
20 marsh expansion, and then there were areas that were  
21 paved that we repaved because the area is still done as  
22 laid down by the Doyle Drive project.

23 So that went very well. And I believe we  
24 are out of the field completely there.

25 Baker Beach 1A, I just have a few pictures

1 of the guys collecting samples. This is MacTech things.  
2 They happened to be a nice sunny picturesque day. This  
3 is what a sampling looks like, going through the surface  
4 soils.

5 Basically they were sampling the soils  
6 along the trail and the historic earth works area that  
7 have the asphaltic moving materials disintegrated, and  
8 the concern here is polynuclear aromatic hydrocarbons,  
9 PAHs in the soil from that material.

10 And they might be standing on some of that  
11 roofing material. I don't know if that's concrete --

12 MR. ULLENSVANG: It is.

13 MS. FANELLI: -- material.

14 Landfill E, we began some cone penetrometer  
15 tests. These tests are primarily for analysis that the  
16 geotechs will be doing and collecting some design  
17 information. So they were doing CPTs.

18 They were also drilling a landfill gas  
19 well. This was an additional well they requested to  
20 understand landfill gas.

21 There's a picture of the well completion of  
22 landfill gas well, and of course being clean, collecting  
23 all of our cuttings.

24 Lead-based paint. We're actually gearing  
25 up to do a lot of work in the summer. We're working on

1 buildings along Infantry Terrace. We'll likely go and  
2 get cleaned up this summer in August as well as we're  
3 doing a fair amount of assessment on -- not Liggett.

4 MS. BLUM: MacArthur.

5 MS. FANELLI: The one between MacArthur  
6 and Liggett. Portola. So they're doing Portola.

7 Next quarter, obviously we've issued --  
8 we'd like to get the Final RAP out. I don't think I  
9 changed the site. We don't have supplemental work plans  
10 for Baker Beach 1A.

11 We do want to work on the data report and  
12 the F/S and complete our landfill E investigation and  
13 begin moving forward on the supplemental F/S data report  
14 and preliminary RAP.

15 Under petroleum, we're hoping to get our  
16 tank study done. We are working on priority 8 tanks  
17 closure.

18 These are unsubstantiated tanks. There's  
19 about 200 plus of them, and we've been going through the  
20 assessment, and 150 of them we think are ready to be  
21 closed, and the rest we're still doing some follow-up  
22 work on. And then we'll do our construction  
23 documentation for the 207/208 work.

24 And I think that's it. So short and sweet.

25 FACILITATOR KERN: Thank you.

1                   Brian, do you have time?

2                   MR. ULLENSVANG:    I have time.   This is  
3   going to be fairly quick.

4                   The Merchant Road fillsite, and if you go  
5   to the next slide, there's a picture of the fillsite.  
6   I'm sure most of you are not familiar with where it is.  
7   You can see the arrow pointing to it up by the Golden  
8   Gate Bridge toll plaza.   Next slide.

9                   This site was discovered -- not quite the  
10   right word, but it conveys the meeting doing work for  
11   research of Baker Beach Disturbed Area 1 with our  
12   cultural resources to make sure there are no adverse  
13   impact during Baker Beach 1 and an area of filling near  
14   the Merchant Road parking lot, in that area was  
15   discovered.

16                  The Trust did two rounds of investigation  
17   in 2005 and 2006.   Next slide.

18                  What's happening in this area, it's outside  
19   of the remediation program, so the Golden Gate National  
20   Park's Conservancy is working on a series of trail and  
21   overlook improvements in that area, and here's a  
22   schematic of what the trail is being considered in that  
23   area.

24                  You can see the sand in Merchant Road  
25   parking lot and trails that go through there, et cetera.

1 They were interested to know that there wasn't a problem  
2 in this area, but they wanted to make sure that the  
3 remediation program was done if necessary prior to their  
4 trail work. Next slide.

5 This is visual evidence that vegetation was  
6 clear in this area. There are hunks of concrete that  
7 were visible. Next slide, please.

8 So in order to fill some data gaps that  
9 were left over from the 2005 and 2006 vegetation, the  
10 Conservancy as part of their work did an investigation  
11 trying to plug those data gaps, and in that process, they  
12 dug some examples and found that there are PAHs, metals  
13 in either residential and unrestricted use levels in some  
14 of the samples.

15 The Department of Toxic Substances Control  
16 has determined that the levels were of a nature that a  
17 response action is required. So there will be some sort  
18 of decision process that needs to go through that, and  
19 that's where we are right now.

20 The Conservancy used MacTech as the  
21 consultant. There's been close coordination with both  
22 the Trust and the Department in this process.

23 Doug was out there for the RAP during some  
24 of the field work.

25 There will be a report of this field



1 work -- the actual work presenting data, which will come  
2 out in two weeks. So hopefully it's imminent and I can  
3 bring it for the committee meeting. Otherwise, it will  
4 be shortly after that.

5 At which point, it will go back to -- we  
6 may not have to do more work for remediation, but  
7 coordinating whatever has to happen for remediation with  
8 their trail plan.

9 MR. BERMAN: Is this considered an unknown  
10 contamination?

11 MR. ULLENSVANG: That's a likely  
12 consideration, and Eileen can talk more about that if you  
13 want, but that would be my consideration. It is not  
14 listed as an enumerated site.

15 MR. BERMAN: I didn't know it was so close  
16 to the Baker Beach Disturbed Area.

17 MR. ULLENSVANG: Baker Beach Disturbed  
18 Area 1 seems to be associated with the incinerator there.  
19 Filling operations there do not appear to be associated  
20 with the incinerator.

21 It's also close to the Baker Beach  
22 Disturbed Area that Eileen mentioned. There's very big  
23 difference in nature between the two sites. So it did  
24 not appear to be an extension between the sites.

25 MR. BERMAN: So is someone preparing a

1 claim?

2 MS. FANELLI: Yes, we are. We are working  
3 with the departments to get a formal letter from them and  
4 they're working with us on that, asking them, as Brian  
5 said, to respond and prepare the decision documents, and  
6 then I will be filing a claim with the Army as well as  
7 with the Zurich Insurance Company for unknown  
8 contamination.

9 We have already actually filed a  
10 potential -- a notice of potential claim with both groups  
11 based on that earlier sampling data.

12 So we will now, because of being directed  
13 by the DTSC to respond, filing formal claims. Most  
14 definitely.

15 MR. ULLENSVANG: And I think that's all.

16 MR. CHESTER: Is there an estimated size?  
17 Has it been determined in terms of cubic yards?

18 MR. ULLENSVANG: That work hasn't been  
19 done yet. There's fairly good indication of the  
20 lightning edges of the field. Conservatively objective  
21 of the sampling was to plug the data gaps.

22 The 2005 and 2006 work did not indicate  
23 clear evidence of contamination, but there were some  
24 questions that remained unanswered, and so the objective  
25 wasn't to delineate an edge. It was to answer those

1 questions with the hope that there would be no problem,  
2 and there was no real smoking gun that there should be a  
3 problem.

4 It's just plugging the last few data gaps,  
5 and unfortunately there was contamination found.

6 MS. BLUM: Is this area closer to the  
7 Golden Gate Bridge than it is to an out extreme edge of  
8 the parking lot on Merchant Road?

9 I missed that first slide where you showed  
10 a picture of where it was exactly.

11 MR. ULLENSVANG: If you're familiar with  
12 the Merchant Road parking lot, the southern end of that  
13 parking lot is approximately southern end of this site.

14 The northern edge of the site is underneath  
15 the portable offices of the Golden Gate Bridge District.  
16 So the old employee parking lot of the bridge district  
17 does not appear to be on this fill.

18 If you were out there looking at it, if you  
19 are in their older parking lot and looking toward those  
20 portable buildings, you can see that there is a rise in  
21 the ground level there. That appears to be the filling  
22 edge.

23 It appears to be bounded to the east by  
24 Merchant Road, and it appears to be bounded to the west  
25 by Bowman Road, which is also known as the Covered Way.

1                   The Covered Way/Bowman Road is a historic  
2 road. There are historic features that are still  
3 exposed, so the filling operations, the way they're  
4 understood now, happened after Bowman Road was used.

5                   So that does appear to be the physical  
6 bounds in a gross level.

7                   FACILITATOR KERN: Thank you, Brian.

8                   So we'll put that on the agenda for two  
9 weeks as a possibility.

10                  MS. FANELLI: Are there any other things  
11 that you would like to discuss at the planning meeting  
12 particularly?

13                  FACILITATOR KERN: I think given if  
14 urgency of the design, maybe we could review that again.

15                  MS. FANELLI: Sure.

16                  FACILITATOR KERN: Fillsite 1, landfill 2.

17                  MS. BLUM: What are the guidelines as to  
18 what we need to be prepared for a different document in  
19 terms of dates for landfill E, which is coming up right  
20 behind it?

21                  MS. FANELLI: We could probably talk about  
22 a schedule, a schedule for landfill E, sure.

23                  FACILITATOR KERN: Very good. As one  
24 additional item, 5, which I neglected to add at the  
25 beginning of the evening -- I should have. My mistake,

1       there has been a letter going around from RAB members.

2                   Is there any objection to sending that  
3       letter?

4                   MS. MONAGHAN:    No.

5                   FACILITATOR KERN:    Okay.

6                   MS. CHEEVER:    Shall I move that we send  
7       it?

8                   FACILITATOR KERN:    If you would.

9                   MS. CHEEVER:    So I move.

10                  MR. CALLANAN:    Second.

11                  FACILITATOR KERN:    All in favor.

12                  (Unanimous affirmative vote).

13                  FACILITATOR KERN:    Opposed?   Very good.

14                  Moving on to item 6, Medi, do you have  
15       anything from the department?

16                  MS. SUNGA:    We have discussed where we are  
17       on my project, and Denise asked me to distribute these,  
18       our monthly updates.

19                  FACILITATOR KERN:    Any particular item on  
20       the list that you wanted to highlight?

21                  MS. SUNGA:    My part is by day.   But the  
22       others, I'm not sure exactly what we're doing.   Brian and  
23       Virginia are working on it.

24                  If you have questions, you can ask them  
25       questions and we can talk about it.

1 FACILITATOR KERN: Okay. Any questions  
2 about this activity report?

3 MR. BERMAN: This is very nice. This is  
4 the first time we've seen anything like this.

5 MS. CHEEVER: We've had this same format  
6 in previous meetings.

7 FACILITATOR KERN: I think Denise has  
8 passed out something.

9 Given the time, let me move ahead.

10 Agnes, anything?

11 MS. FARRES: No, nothing.

12 FACILITATOR KERN: Thank you.

13 Let me just address item 7 briefly. The  
14 Drafting Committee, just to let everybody know what this  
15 was.

16 Julian was concerned that there were some  
17 inefficiencies and things weren't completely open to  
18 people about letters being drafted.

19 He was concerned about not being able to  
20 understand version tracking and lateness and there were a  
21 variety of things that he wanted to see tidied up, and so  
22 he proposed this Drafting Committee, and recently we've  
23 had this opportunity to draft a letter and a lot of  
24 people joined in on that, and in a lot of ways covered  
25 all of the things that Julian was concerned about.

1                   So he wrote this letter back to Mark and  
2   myself saying, you know, things seemed to be working. So  
3   don't really need to do it. So that's kind of what is  
4   going on with that.

5                   If it does come back up again, we can  
6   certainly revisit.

7                   Number 8, any public comment? Any others  
8   from the public?

9                   Action items and agenda items, apparently  
10   we're on a very short time to comment on the design  
11   documents. I have peeked at them and they're quite  
12   detailed and voluminous and seem hundreds of pages, so  
13   there's a lot there.

14                  I don't think we can expect or need to  
15   comment in great detail, but there are some things  
16   related to our RAP comments, the confirmation plan. If  
17   people need reference, I can find pages. You can check  
18   out those sorts of items.

19                  For next time, then, as we said, we'll look  
20   at the Merchant Road and the design work.

21                  And with that, I want to thank Dr. Polisini  
22   again for coming tonight. Appreciate you having a long  
23   ways to go.

24                  I thank the rest of the RAB members for  
25   coming out, agency folks for spending their time tonight.

1 Thank you very much.

2 And without objection, meeting adjourned

3 (The meeting concluded at 9:04 PM).

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1 I, the undersigned, hereby certify that the  
2 discussion in the foregoing meeting was taken at the time  
3 and place therein stated; that the foregoing is a full,  
4 true and complete record of said matter.  
5

6 I further certify that I am not of counsel or  
7 attorney for either or any of the parties in the  
8 foregoing meeting and caption named, or in any way  
9 interested in the outcome of the cause named in said  
10 action.  
11

12 IN WITNESS WHEREOF, I have  
13 hereunto set my hand this  
14 \_\_\_\_\_day of \_\_\_\_\_,  
15 2010.

16 \_\_\_\_\_  
17 Mark I. Brickman CSR 5527  
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PRESIDIO RESTORATION ADVISORY BOARD MEETING

**ORIGINAL**

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, JULY 13, 2010

OFFICERS' CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: DAWN E. HOWARD, CSR  
License No. 13201

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ATTENDEES

RAB Members:

Sam Berman  
Jan Blum  
John Budroe  
Edward Callanan  
Julie Cheever  
Jerry Dodson  
Eileen Fanelli  
Agnes Farres  
Gloria Gee  
Doug Kern  
Jim Ketchem  
Jan Monaghan  
Brian Ullensvang

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BE IT REMEMBERED that, pursuant to Notice of  
the Meeting, and on July 13, 2010, at the Officers'  
Club, Building 50, Presidio of San Francisco,  
California, before me, DAWN E. HOWARD, CSR No. 13201,  
State of California, there commenced a RAB meeting under  
the provisions of the Presidio Trust.

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AGENDA

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1           FACILITATOR KERN: This is the regularly  
2 scheduled meeting of the Presidio Restoration Advisory  
3 Board for July 2010. I'd like to welcome the Trust and  
4 our regulatory community -- actually, I don't see them  
5 here tonight -- and the Park Service, and all of the  
6 community RAB members. Thanks for coming out. July and  
7 August is typically a slow time. People are away on  
8 vacation.

9           Are there any changes or additions to tonight's  
10 agenda? All right, so none.

11           Any announcements or business from anyone?

12           In the report -- I happen to know that Mark has  
13 to work tonight, so his report was going to be something  
14 along the lines of, we reviewed the design documents  
15 last month at the committee meeting and the response to  
16 our request from DTSC for a comment period extension. I  
17 think many of you were there, but we should -- we'll  
18 probably be covering some of those same issues tonight.

19           So we'll continue, without objection, and that  
20 brings us to item 5A.

21           MS. FANELLI: So give me a few minutes. I  
22 didn't put out the light until we were ready, because I  
23 always worry about the bulb burning out.

24           I just have a few photos to update you on the  
25 status.

1           That's not too bad. It's a little dark. Does  
2 that help a little bit?

3           MS. MONAGHAN: Yeah, that's better.

4           MS. FANELLI: I can turn it back up.

5           I'm a little out of order than on here. I  
6 think I have Landfill 10 first, and I'm going to go  
7 through some photos of Fill Site 1, Landfill 2, which is  
8 just kicking off, sort of summarize our current  
9 activities, and I'll talk a little bit about lead-based  
10 paint.

11           Let me start with Landfill 8. I don't have any  
12 photographs of Landfill 8, but we are basically complete  
13 on Landfill 8. The planting, I think, is complete as  
14 well at this point in time. If not complete, it's  
15 nearly complete with natural resources. So we're  
16 basically substantially complete with Landfill 8 and are  
17 now focusing on Landfill 10 completion. I have photos  
18 of that.

19           What you're looking at here is the multi-use  
20 trail, which is along the top. This got paved last week  
21 on Thursday, so a very recent pavement is done. A lot  
22 of effort went into it. It was quite wet after the wet  
23 season, and so there was a fair amount of digging the  
24 material out and recompacting it.

25           The top deck is also substantially done. You

1 can see here, there's likely going to be some  
2 modifications to the storm water structures that are  
3 planted, that you see in between the parking stalls.  
4 That's primarily because our planning department, based  
5 on how water is retained in there, isn't quite as happy  
6 with the actual types of plants and was thinking of some  
7 changes. So we're working with them on that. Those  
8 changes likely won't occur, though, until the fall.

9 MS. BLUM: Eileen, excuse me.

10 On the multi-use trail, is that a standard  
11 width?

12 MS. FANELLI: I think it is, yes.

13 MS. BLUM: I mean, are multi-use trails a  
14 standard width, is really my question. And if so, what  
15 is it?

16 MS. FANELLI: I believe the multi-use trail has  
17 to meet specific standards that are published for  
18 accessibility and used by bicycles and walkers and  
19 wheelchairs, or other kinds of motorized help equipment.  
20 I don't know if there's one single width that they'd  
21 have to be.

22 Brian, you might have, actually, more  
23 information.

24 MR. ULLENSVANG: I think there is a standard  
25 width. I think it depends on the use, depending on if

1     there's a companion trail or not.

2             MS. FANELLI: Okay. The design is pretty much  
3     dictated by our planning department, so a lot of the  
4     features on the top deck are from Chandler McCoy's group  
5     at the Presidio Trust, and the trails are Allison Stone.

6             The slope has been repaired. We have sent in  
7     the certification letter to DTSC that it's been  
8     repaired. We were quite pleased, in a way, after we  
9     got -- some rain stopped, and we peeled back the fabric.  
10    There was not as much damage as we had feared. It was  
11    fairly localized. The slope was very, very wet, so it  
12    still posed some challenges to being repaired. But for  
13    the most part, we ended up redistributing the material  
14    that had sloughed, so the same material went back up.

15            In some places, we amended and added some  
16    additional soil that was of the same source to it, and  
17    there was one location where we actually kind of dug out  
18    the wet stuff. It was the kind of major rill, if you  
19    remember, that was near the overlook. That was just not  
20    drying, so they actually took some of that wet material  
21    out to dry, rework, and that's probably where we added  
22    the most new Napa brown soil to that repair.

23            It's basically been planted. I actually got an  
24    e-mail from Lewis Stringer the other day that says that  
25    the planting has been completed. He said that in his



1 opinion it looked great. There is irrigation that's  
2 been added to this slope. You can see it on these  
3 photographs. They are the thin lines that are between  
4 the larger booms. Let me point it out.

5 MS. BLUM: Has the whole slope been planted or  
6 just those sections that were approved for planting?

7 MS. FANELLI: All sections have now been  
8 planted.

9 MS. BLUM: Okay.

10 MS. FANELLI: All sections except for places at  
11 the toe road, we're still going to -- we're still  
12 working with the Park Service, and we're doing some  
13 design to control flow down the northern end.

14 Here are some of those irrigation lines right  
15 here. So there are pipes that come down, and then  
16 there's laterals that go out. They'll be operated  
17 basically at the direction of the natural resources'  
18 staff to make sure the plants have adequate water.

19 This is the overlook. It turned out to be a  
20 little bit of a challenge. That is the concrete path  
21 that leads down to it. That took a while of drying out  
22 to get compaction there as well, and then the overlook  
23 itself. This again is not a remediation element. It's  
24 a planning element, and the design was dictated by our  
25 planning group. There is a bench to be added to this

1 overlook, but you get a sense of what it's going to look  
2 like.

3 MS. CHEEVER: Can I ask a couple of questions  
4 about Landfill 8 and 10, or should I wait till you're  
5 done?

6 MS. FANELLI: Sure. Go ahead. Ask, please.

7 MS. CHEEVER: At a recent meeting, maybe about  
8 a month ago, there was a need to add -- it said there  
9 was a need to add some more sand to the top of Landfill  
10 8, even though the planting had begun.

11 Was that done successfully, and was it easy to  
12 get in there?

13 MS. FANELLI: Yes.

14 MS. CHEEVER: Because the obvious entranceway  
15 was already planted.

16 MS. FANELLI: The entranceway wasn't. The  
17 entrance that we used, actually, was on the southern end  
18 of the site.

19 MS. CHEEVER: So that all worked out?

20 MS. FANELLI: That all worked out just fine,  
21 yes. We never had planted the primary access for the  
22 contractor, so the area that was planted earlier was the  
23 western area that was certified as being complete before  
24 it was planted. We have since -- I think June 28th --  
25 completed certifying the rest of the area as having

1     adequate sand thickness placed on it, and then plants  
2     were planted.

3             MS. CHEEVER: I was wondering if I should ask  
4     Brian. Is there any prediction as to when the plants on  
5     the slope are going to grow? Because some neighbors who  
6     understand that we have a number of concerns about that  
7     area, the hospital area, say that it looks rather  
8     sparse.

9             And then the other thing is, the last time I  
10    was there, which I think was last night, I wasn't sure  
11    that the final northern-most section was planted yet.

12            Do you have a lead on either of those matters?

13            MR. ULLENSVANG: The word that I'm hearing --  
14    of course, again, it kind of accedes on a number of  
15    factors -- is about two to three years for the plants to  
16    come in and become established. They'll continue to  
17    grow after that. At this point, they should have  
18    increased. As far as trees and plants, fairly small.  
19    And they just went in for most of the site, just this  
20    past week. So some, you know, people who were looking  
21    at observations a week ago, it wouldn't have been fully  
22    planted yet.

23            MS. CHEEVER: Thank you.

24            MR. ULLENSVANG: My understanding is, there is  
25    generally two areas that still need planting: The area

1 that Eileen talked about, which is the -- on the toe as  
2 it comes around on the north side, and there's also the  
3 top of a landfill on the north end of the parking lot.

4 MS. CHEEVER: Okay, great. Thank you.

5 MR. ULLENSVANG: So those are two. There's a  
6 few other little spots, but those are in the two  
7 categorical areas.

8 MS. FANELLI: Julie, I can point out to you on  
9 this photograph on your left the taller trees that are  
10 up in the right-hand corner. Those, I think, are the  
11 tallest trees that have been planted at sort of the  
12 southern end of the parking lot, closest to 15th Avenue.  
13 And they're slightly larger than what had been  
14 originally planted. I believe we agreed, the Park  
15 Service and the residents and our planning department,  
16 where it changed the original design, to put in some  
17 taller trees.

18 This upper area will also be planted. It will  
19 be planted hopefully by the end of this week. They are  
20 continuing to do their final grading and irrigation  
21 installation. And then my understanding is that this is  
22 also a native plant area, but they are a taller-statured  
23 native plant that will be placed in here, for the most  
24 part, to provide additional screening from the residents  
25 and local streets. And I couldn't tell you which plants

1 those are without having a biologist here to tell you.

2           Fill Site 1, Landfill 2. We have left the  
3 contract a week or so ago. You can see that the  
4 construction fencing, I believe, is now up. What you're  
5 looking at here is some of the orange fencing, which is  
6 identifying and fencing out some of the more sensitive  
7 habitats, wetland habitats, above the El Polin Springs  
8 and the construction chain-link fencing as well. So a  
9 few photographs of that. And today the contractor began  
10 some basic clearing and grubbing activities, so we're  
11 really only getting kicked off here, and I anticipate  
12 that the activity is going to greatly increase.

13           We do have project information coordinators  
14 that are roaming the trails. We are experiencing, as we  
15 almost always do initially, sort of the trespassers,  
16 those that don't want to believe that the area is truly  
17 now fenced off and not available for construction. So  
18 we've had a trail bike person on Quarry Trail today with  
19 our traffic, and we've had a few joggers, and whatnot.  
20 But I'm hoping that -- we do have a large chain-link  
21 fence up -- with some more education and some greater  
22 activity, then we'll get some better compliance in terms  
23 of trespassing.

24           MS. MONAGHAN: Has the contractor submitted a  
25 schedule yet for this work?

1 MS. FANELLI: They have, and I don't have it  
2 here with me. They are required to be winterized on  
3 September 30th of this year, and that is a hard  
4 deadline, whether or not all waste is removed or not.  
5 They do have a schedule that shows them getting the  
6 waste removed by that date, and then some basic grading.

7 If we have time -- and I think it's really  
8 questionable if we're going to have the time -- we would  
9 do some additional grading work to facilitate planting.  
10 But this year, our simple goal is to get the waste out,  
11 get stable slopes, get it covered and winterized, and  
12 then come back next construction season with a final  
13 detailed grading and planting.

14 MS. MONAGHAN: Okay. Thanks.

15 MS. FANELLI: Sure.

16 Overall, our work at Landfill 10 and Graded  
17 Area 9, which I didn't have any pictures of, is required  
18 and expected to be completed as well by September 30th.  
19 I think we'll be there. That won't be too much of a  
20 problem, and Graded Area 9 is scheduled for probably mid  
21 August time frame, after bird nesting season. We're  
22 working now with the Park Service on the details of that  
23 cover.

24 If you remember, the sand -- the debris fill is  
25 a little bit larger, broader than we thought, and we're

1 just modifying our sand cover in that area.

2 MS. CHEEVER: Could I ask about that?

3 Is all the remaining sand at that site going to  
4 be used for the cover of Graded Area 9, or is some of  
5 the sand going to be taken away? It seems like there's  
6 a lot left.

7 MS. FANELLI: I think most of it is going to be  
8 left at Graded Area 9. I don't believe we have any use  
9 for it anywhere else.

10 MS. BLUM: I think part of the plan is to use  
11 some of that sand to create dunes, not just one big  
12 pile. But I think they're going to do dune creation  
13 with the sand as well.

14 MS. FANELLI: As I mentioned on Fill Site 1,  
15 Landfill 2, we're going to be winterized by  
16 September 30th, and we're hoping that all of the waste  
17 is also removed by that time. We're also hoping that we  
18 might get some of the forest replanted. That is a goal,  
19 and we are working on that effort. But we'll see how  
20 fast the contractor can actually move.

21 On Baker Beach 1A, we are still working on a  
22 feasibility study and update to the feasibility study,  
23 based on the new data that showed the extent of the  
24 roofing material, and working on getting a draft RAP  
25 prepared for review. That should probably say "Merchant

1 Road" as well. As you all know, Merchant Road is an  
2 unknown site. We have received a copy of it -- I  
3 believe it was copied to the RAB -- from DTSC indicating  
4 the need for further evaluation and identification of  
5 remediation, based on data that was collected recently  
6 as part of the trail development effort.

7 So those two projects are really running in  
8 parallel at this point in time, and there's continued  
9 communication with the Park Service and with the  
10 conservancy that's doing the trail work. And then on  
11 Landfill E, we --

12 MR. BERMAN: One question.

13 MS. FANELLI: I'm sorry.

14 MR. BERMAN: What were the COCs that was  
15 suspect in the additional sampling?

16 MS. FANELLI: At Merchant Road?

17 MR. BERMAN: Yeah.

18 MS. FANELLI: I believe that -- they're not all  
19 analyzed in terms of risk, but there are the metals that  
20 had been historically detected. So I think there's some  
21 lead and silver.

22 MR. ULLENSVANG: There's zinc and silver.

23 MS. FANELLI: There's, I think, some PAHs, and  
24 then there's a couple of samples analyzed from the  
25 southern end that had low levels of dioxide and uranium.



1 MS. BLUM: Of what?

2 MS. FANELLI: Dioxide and uranium.

3 MR. BERMAN: And that's consistent with the  
4 records of use around there? I mean, is there any  
5 information as to why those COCs would be there?

6 MS. FANELLI: A lot of the metals, we believe,  
7 are associated with the general debris fill.

8 Brian, I think you guys have some thoughts on  
9 the dioxide and uranium.

10 MR. ULLENSVANG: We have. They're consistent  
11 with the incinerator that was placed there.

12 MS. FANELLI: Yes.

13 MR. ULLENSVANG: If you recall, at Baker Beach  
14 1 there were dioxides, and the silver was consistent too  
15 with the incinerator. And those were detected in the  
16 area which was being sampled, because it was close to  
17 the incinerator. So it is consistent.

18 MR. BERMAN: So is there any vestige of the  
19 incinerator, or is that completely gone?

20 MR. ULLENSVANG: That's completely gone and was  
21 removed. What little there was left was removed as part  
22 of the Baker Beach 1 cleanup, and there wasn't much left  
23 during that cleanup.

24 MR. BERMAN: Okay. Thanks.

25 MS. FANELLI: On Landfill E, last month or at

1 the planning meeting, we talked that they had completed  
2 some soil gas analysis and some CPT, cone penetrometer  
3 tests. I don't have a data report for that. I can say  
4 that the levels of gas that they found in the interior  
5 were very similar to what had been found historically.

6 They did do some probes all around the  
7 perimeter of the landfill, and there was no gas detected  
8 in any of the perimeter probes that they did, which was  
9 good news. But that's not documented yet into a data  
10 report that's been issued. They are planning to do some  
11 perimeter delineation, and that will happen in August,  
12 again after bird nesting season. They are taking that  
13 data report, that data when they get it. So in  
14 September we will have a data report that can be issued  
15 for folks to review and begin draft RAP preparation  
16 based on that.

17 So those are the large projects that we're  
18 working more fast and furious on in the next several  
19 months.

20 FACILITATOR KERN: On RAP 4, Landfill 8, with  
21 Landfill 8 being finished, is there a plan to install  
22 the well that was going to be in there?

23 MS. FANELLI: The well has already been  
24 installed.

25 FACILITATOR KERN: Okay.

1 MS. FANELLI: I forget when it was installed,  
2 but it was several weeks ago, actually.

3 FACILITATOR KERN: Do you know when it will be  
4 sampled for the first time?

5 MS. FANELLI: Probably the next quarterly  
6 round. If it was installed after the last sampling  
7 period, it would be the next sampling period, unless our  
8 protocols -- and you may know our protocols better than  
9 me -- are to sample it upon installation, if that is the  
10 protocol that we sample. If not, it will be sampled in  
11 the next cyclic rounds.

12 MS. BLUM: I'd like to ask a question about the  
13 multi-use trail, going back to Landfill 10. And it  
14 looks like asphalt. Is it asphalt?

15 MS. FANELLI: It is asphalt.

16 MS. BLUM: Is there some reason they use  
17 asphalt instead of the kind of material they used at  
18 Crissy Field on the multi-use trail? Is there a  
19 necessary requirement to use asphalt for multi-use?

20 MS. FANELLI: I do not know. It is what was  
21 spec'ed by the planning department.

22 MS. BLUM: It's really more of an esthetic  
23 question.

24 MS. FANELLI: My last little bit of information  
25 is lead-based paint. I think you get copied on several

1 of the closure letters, and just today we got closure on  
2 Building 409, and Buildings 119, 120 and 121, so we're  
3 moving ahead with that. We do have improvements  
4 scheduled, and they are going to occur in the Infantry  
5 Terrace neighborhood and in the Portola neighborhood in  
6 August. Again, after bird nesting season, we'll be  
7 doing a soil removal and then backfilling.

8 I believe Trust planning in both of those  
9 neighborhoods is going to follow with improvements to  
10 the landscape at that time. They're separate contracts,  
11 so I don't have any details on what they're going to  
12 install or what planning is going to do from a  
13 landscaping perspective. But we are trying to get our  
14 work done so that they can come in when they need to do  
15 it.

16 So those are the only photos I've got today.

17 MR. BERMAN: Question.

18 MS. FANELLI: Yes.

19 MR. BERMAN: When you look at the general  
20 lead-based paint problem, do you foresee anything coming  
21 up that's going to present any difficulties over what --  
22 I mean, this looks pretty straightforward, but there's a  
23 lot of buildings out there.

24 MS. FANELLI: There's a lot of buildings. We  
25 had done work at at least half of them. The issue for

1 us is not so much the residential buildings. That's our  
2 focus, is to make sure that they're all completed and  
3 closed. Some of the commercial buildings, the larger  
4 buildings that are at least for commercial purposes, are  
5 a little bit more of a challenge. It's a lot more money  
6 and effort to stabilize those buildings, and we do not  
7 do remediation at the building until the exterior paint  
8 is stabilized.

9           So we're working with different Trust  
10 departments on how to resolve that, whether or not that  
11 liability is something we're going to absorb. And some  
12 of them are going to try to work with respective tenants  
13 in terms of building stabilization. That's the only  
14 area that I think could be problematic, and we're trying  
15 to inventory that number of buildings to see how much --  
16 what kind of a magnitude of a problem is going to occur  
17 that we'll have.

18           MR. BERMAN: So when you look at one of those  
19 commercial buildings, is there an estimate of how deep  
20 the lead is?

21           MS. FANELLI: The lead is actually pretty  
22 consistently shallow, so that is not the problem for us,  
23 and we don't usually have to excavate much more than a  
24 foot and a half, two feet, to get clearance, even on a  
25 commercial building. That isn't a problem, but the

1 commercial buildings are so large. I'm thinking of  
2 those large long barracks down by, like -- what was  
3 it -- Riley, like the 1100s, 1167s. Those are big  
4 wooden buildings that are covered with lead-based paint.  
5 So until they are stabilized, those buildings tend to  
6 present somewhat of a problem for us.

7 MR. BERMAN: The problem -- when you say it  
8 presents a problem, it's just the magnitude of the soil  
9 removal?

10 MS. FANELLI: No. It's not a problem for us in  
11 terms of doing the lead-based paint. It's a timing  
12 issue, when the funds and the building is stabilized and  
13 the paint is maintained so that we can go in and do our  
14 cleanup. Usually that happens when a tenant leases the  
15 building, so there's an occupant. So it's just timing  
16 those building upgrades with occupancy, and then we come  
17 in and we do our work after that.

18 And because there's a lot of lease negotiations  
19 that go back and forth, we have a few on-and-off  
20 switches that happen before we go out there. In terms  
21 of being able to complete the program -- I was  
22 interpreting your question as to problems for us in  
23 completing the program -- that's really more of the  
24 challenge, and it's more of an internal challenge. If  
25 all the buildings were stabilized, I don't think I'd

1 have any problem going out there and getting them all  
2 taken care of.

3 MS. BLUM: Is that 1100 area near Thornburgh  
4 Road?

5 MS. FANELLI: Yes, it's near the Thornburgh  
6 Road.

7 MS. BLUM: You haven't even started on that  
8 stuff yet, have you?

9 MS. FANELLI: We've done a couple.

10 MS. BLUM: I mean, it's going to be developed  
11 at some point.

12 MS. FANELLI: It is.

13 MS. BLUM: It's going to be a big task.

14 MR. BERMAN: As I understand what you're  
15 saying, is that you actually -- until there's a tenant  
16 and some building improvement made, specifically  
17 painting, you don't want to go in there and do anything.

18 MS. FANELLI: That's correct, and it's not so  
19 much a tenant. It's really building stabilization.  
20 When the exterior paint is stabilized, then we go in and  
21 we do our work. That tends to occur when a tenant comes  
22 in. An example is Building 100 on the main post. We  
23 have a tenant that's been doing improvements and they're  
24 stabilizing the paint, so we coincided our cleanup with  
25 their stabilization, basically. In that particular case

1 they did the actual cleanup to our specs, along with the  
2 building stabilization. But there's an example where we  
3 try to get it to coincide.

4 MR. BERMAN: Well, is there -- I'm just -- I  
5 don't want to belabor the point, but why would you have  
6 to wait for the exterior painting to be done? Wouldn't  
7 it be more expedient then to do all that cleanup before  
8 the painting is done?

9 MS. FANELLI: No. Because what happens is, if  
10 the paint is peeling, it's just going to fall back on  
11 the ground. So we want to make sure that the paint is  
12 stable that's on the building and it's not flaking off,  
13 or else we just run the risk of recontamination very  
14 quickly. So we would rather they actually do the  
15 stabilization. That way, if they have a spill, it's not  
16 such a critical thing. We come in and we remove the  
17 paint.

18 MR. BERMAN: Okay. The prep for the buildings  
19 can release additional lead-based products, and that's  
20 the reason?

21 MS. FANELLI: The prepping and just the fact  
22 that there's paint peeling off the building. At some  
23 point, it will break off and fall down, if it's not  
24 scraped off in advance or stabilized.

25 FACILITATOR KERN: Maybe we could turn up the



1 lights.

2 MS. FANELLI: Yes. Let me turn this off and  
3 turn the lights on.

4 MR. BERMAN: Is there an overall dollar  
5 estimate for the entire lead-based paint program?

6 MS. FANELLI: Yes. There is, and it's actually  
7 listed in our quarterly report, when I send it out with  
8 the tables, and we do that by planning area. So you'll  
9 see lead-based paint, and you'll see about seven  
10 planting areas, the main post, and East housing, and  
11 it's listed that way.

12 MR. BERMAN: All right.

13 MS. BLUM: Eileen, if the Thornburgh Road isn't  
14 developed by 2013, does that money for lead-based paint  
15 and whatever other remedies you have for those building  
16 requirements, is that put into escrow? I mean, do you  
17 lose the money or is it going to be put aside?

18 MS. FANELLI: I think the answer is it's not so  
19 much that we put the money into escrow. Depending on at  
20 that point in time whether or not we're using dollars  
21 from the insurance policy, we would call upon the  
22 insurance to provide funding to do that cleanup. But we  
23 still face the same problem that we need to have the  
24 building stabilized, so there is a risk decision and a  
25 management decision that the Trust needs to face and

1 that we're working on, as to how do we want to handle  
2 those buildings that require stabilization that may not  
3 be currently budgeted for that. I don't have an  
4 estimate as to the magnitude of that. That is something  
5 that we're working on now.

6 FACILITATOR KERN: We'll go onto item 5B. It's  
7 got my name next to it, the Landfill 2, Fill Site 1  
8 comments. This continues a discussion that we've had at  
9 the committee meeting level, where we were kind of  
10 reacting as we could at the moment. I've had a little  
11 bit of time to look at the documents. I have a few  
12 ongoing comments that people may also want to -- if they  
13 have their own ideas. We just thought we'd share just a  
14 few more of these ideas on the design details.

15 This is actually separate, but as a note from  
16 the responsiveness summary, I did want to thank the  
17 Trust. There's been an agreement to make the three  
18 years of groundwater monitoring, instead of the one. We  
19 appreciate that that's going to be done at Landfill 2,  
20 Fill Site 1.

21 Let's see a few of the details that we've  
22 talked about previously. At Fill Site 1, at the western  
23 end, there was a log that seemed to indicate that it was  
24 quite deep in fill, both what has been designated as  
25 clean fill and the contamination on the west side. And

1 I'm speaking now specifically to figure 11, which is the  
2 confirmation sampling figure. There is a diagram that  
3 shows confirmation sampling on the excavated surface at  
4 a certain grid spacing, and then there's, on the same  
5 drawing, deeper samples, three feet.

6 I would just offer for your consideration that  
7 perhaps there might be a sample, an additional sample,  
8 made toward the western side. It seems like it was a  
9 grid that was overlaid, but not necessarily considering  
10 the depth of the fill that might be there. You may find  
11 it anyway in the excavation that there's stuff in that  
12 direction.

13 It's been a few weeks since we had our last RAB  
14 meeting. We were kind of reacting on the fly. I wonder  
15 if you can speak to any meetings with other departments  
16 where there might have been design changes that have  
17 occurred that we wouldn't necessarily know about and  
18 that we wouldn't have to comment upon.

19 MS. FANELLI: There's been no design changes at  
20 the 100 percent level at this point in time. One of the  
21 elements that we're continuing to work on for the -- let  
22 me back up.

23 The design package is the site stabilization  
24 package. It gets us to the winterization. It gives us  
25 stable slopes. We've always anticipated we're going to

1 have some follow-on packages, and those would include  
2 final grading, to the extent we modify that land shape  
3 and push dirt around to get a different final grade  
4 pattern. It also includes a stream channel design,  
5 which is not included in the current package. The  
6 current package, again, is getting water safely from the  
7 top of the landfill to the bottom of the landfill in a  
8 winterization. It does that safely, but it's not a  
9 restored stream channel, in a sense. So there are  
10 design discussions going on about what that historic  
11 stream channel would look like, but there's not yet a  
12 design, but that process is ongoing.

13 And then there are that final grading for Fill  
14 Site 1, in particular. There hasn't been a lot of  
15 discussion about what that planting will look like, but  
16 we fully expect that will happen in the next  
17 construction season. So I would anticipate at least a  
18 couple of design packages in addition to the one that we  
19 have.

20 One would be for the stream channel, in  
21 particular, and the second one really would be focused  
22 on Fill Site 1 and how we integrate that final grading  
23 package with the final restoration, the planting of the  
24 trees and the woodland and native plants adjacent to it.  
25 And there likely will be some type of stream channel at

1 Fill Site 1 as well. It wouldn't be the same. It  
2 wouldn't be continuous. But if it did rain and we have  
3 storm water runoffs, some way to get that water from the  
4 site.

5 MS. BLUM: When you talk about Fill Site 1 in  
6 the planting schematic, are you talking specifically  
7 about the possibility that you're going to be terracing  
8 for the forest, for the trees?

9 MS. FANELLI: The terraces are in Landfill 2.  
10 The terraces aren't shown in Landfill 2. Those are our  
11 current design. They are currently going to be  
12 constructed that way.

13 MS. BLUM: All right.

14 MS. FANELLI: We don't have the terraces  
15 showing at Fill Site 1, and part of that is because it's  
16 different material. Part of the reason for the terraces  
17 at Landfill 2 are the fact that it's on consolidated  
18 dune sand, and the terraces give a solutional stable  
19 slope for the winter, and it also was at the request of  
20 the forestry.

21 It facilitates the tree planting, and the  
22 concept of those terraces are that they give the site  
23 some additional stability until the trees and the  
24 understory have grown. The terraces are not heavy-duty  
25 structural, in the sense that they're not treated wood.

1 They're designed to decay and obliterate themselves,  
2 basically, over time.

3 FACILITATOR KERN: I was wondering with respect  
4 to the terracing and the terraces themselves and the  
5 self obliteration of them, would there be a plan to  
6 remove, say, the wood pieces that -- I mean, I'm just  
7 imagining that maybe they break or partially decay and  
8 then they might stick out and people running into them.  
9 Has anybody thought through that part of it, of actually  
10 removing the wood pieces?

11 MS. FANELLI: No. There's no plan to actually  
12 remove them at this point in time. Certainly if there  
13 was a trip hazard or a safety hazard, then they would be  
14 removed. But the area will be maintained by the  
15 forestry group, Peter Erlich's group, and the call on  
16 that would be their call, if they thought it was either  
17 incompatible with the forest or a safety issue or a  
18 hazard.

19 FACILITATOR KERN: So they might choose to keep  
20 the wood and maintain it or --

21 MS. FANELLI: I doubt that. It's not designed  
22 to be maintained. If it was, we'd be putting in  
23 something that wouldn't rot.

24 FACILITATOR KERN: I was also wondering about  
25 the terraces. If water began to run down them, why

1 wouldn't it just wash right under these structures, if  
2 it's just loose sand?

3 MS. FANELLI: Well, they're not designed to  
4 have sort of that head of water and standing water that  
5 would make sand flow. They're not stream channels.  
6 They're disbursed flow and to get it to not focus  
7 basically into a channel. The idea is that the water  
8 that drains from the site will get to the creek that is  
9 under design and currently to our channel that will get  
10 it safe for the first season downstream. So I don't  
11 know how to answer the question honestly about -- it's  
12 somewhat technical that this water wouldn't focus and  
13 somehow underline the terraces. They're not designed  
14 for that to happen.

15 FACILITATOR KERN: Well, I understand that's  
16 not anticipated that it would, but I'm just imagining  
17 building something like that in my backward and having  
18 water run in and just having it wash underneath the  
19 boards.

20 MS. FANELLI: They extend into the subsurface a  
21 little bit, but I would hope we would get piping around  
22 it.

23 FACILITATOR KERN: So the forestry department  
24 will maintain that, and it's anticipated that the  
25 terracing would be there for a certain amount of time,

1 or has that been --

2 MS. FANELLI: There's no plan to actually  
3 remove the terraces. The idea is that they would be  
4 planted over time. They're very short. They're a  
5 couple of feet high. That they would naturally degrade,  
6 the plants will grow over them. They'll become less  
7 obvious. And as the plants grow and the roots take  
8 structure, then that replaces the stabilization that the  
9 terraces themselves provide.

10 FACILITATOR KERN: The other major comment that  
11 we had going into the RAP on issues that were deferred  
12 to the design was the erosion control and monitoring  
13 plan. I wonder if you could talk about some of that.

14 Is it still going to be kind of designed once  
15 the site is determined how it looks, or what do you  
16 think are going to be the major elements of it?

17 MS. FANELLI: There is a storm water pollution  
18 prevention plan that is posted on the shared Website,  
19 and the contractor has submitted their update to that.  
20 I believe the design set has in it stable grades and  
21 provisions for erosion control, and then -- I'm not sure  
22 where we've specified placement of, say, fabric, or  
23 those types of things, but they certainly would be  
24 placed. If they're not in the current design set,  
25 they're outlined in the requirements for how you place



1     them and outlined in the SWPPP. The new SWPPP meets the  
2     new storm water requirements, which is actually quite  
3     prescriptive, in terms of your slope and your spacing of  
4     things like water and what you do.

5             So the plan is obviously to comply with that  
6     document, so I know certain slopes have a prescribed set  
7     of models, maybe 20 feet or every 50 feet. I mean, it's  
8     pretty prescribed, so that's what you could probably  
9     anticipate. I can go back to the drawings. I don't  
10    have a set here. I can go back and get some more  
11    specifics on what that site would look like.

12            FACILITATOR KERN: My question probably wasn't  
13    as specific. I mean, if all those things get  
14    installed -- I think what I'm concerned about is in the  
15    event of a storm event, whose responsibility will be to  
16    monitor those items that get installed? If something  
17    starts to be a problem, what's the chain of reaction?

18            MS. FANELLI: It's always the Trust's  
19    responsibility as the land owner to monitor and be  
20    responsible. We would be working with EBI, Evans  
21    Brothers, our contractor, who is responsible for  
22    maintaining the site throughout the winter season.

23            MS. MONAGHAN: If you demobilize for the  
24    winter, they'll still be around periodically? Is that  
25    it?

1 MS. FANELLI: Right.

2 MS. MONAGHAN: Okay.

3 MS. FANELLI: I mean, they won't have anything  
4 likely on site. There will be an office. There will be  
5 a requirement to maintain the site and control it. They  
6 won't take down a construction fence, necessarily, for  
7 example, and then put it back up.

8 MS. FARRES: The new construction permit has  
9 specific requirements for post construction monitoring  
10 also.

11 FACILITATOR KERN: I missed the part where who  
12 was going to be out there at 1:00 a.m. watching to make  
13 sure it didn't fail. That was the part that -- that's  
14 when it's usually going to rain, you know, and have a  
15 big problem.

16 MR. BUDROE: Well, that's a good point, so it's  
17 Evans Brothers'?

18 MS. FANELLI: I can't say that anybody is going  
19 to be standing outside at 1:30 a.m. in a rain event.

20 MR. BUDROE: But they have response telephone  
21 numbers. I mean, these guys, I don't know if they have  
22 to remobilize to come out.

23 MS. FANELLI: Right.

24 MR. BUDROE: The things that happened last  
25 October were, you know, pretty significant.

1 MS. FANELLI: We're working under a different  
2 regulatory permit at this point and different site  
3 conditions. If the site is graded as designed, we will  
4 have nothing greater than a two and a half to one slope,  
5 whereas the slope at Landfill 10 is 4.7, five to one.  
6 We have very different physical conditions. Ten was a  
7 much, much more challenging site in terms of that kind  
8 of control. That doesn't mean we're not going to employ  
9 heavy duty SWPPP control measures.

10 We've provided for that in terms of a channel,  
11 in making sure that it's armored, so that we are able to  
12 slow down water as it comes through the site before it  
13 gets down to El Polin Spring area. I imagine what  
14 you'll see is, besides all the booms and things that are  
15 prescribed, that the entire site might be again like it  
16 was after tree removal, sprayed with straw and covered  
17 with fabric and the whole nine yards to keep it  
18 protected where it's not planted.

19 FACILITATOR KERN: Thank you. Those were the  
20 major comments that I was following up on with the  
21 design. I think the -- again, it deals with more of an  
22 esthetic issue, the terracing. I'm concerned about the  
23 looks of it in a natural area. I've been hopeful that  
24 there could be other things that might be a more elegant  
25 way of dealing with the potential erosion there. My

1 concern is that it won't ever appear to be a natural  
2 area, because it's been sculpted. Maybe it's just that  
3 I don't have the right vision of it.

4 MS. FANELLI: The terraces are only in the  
5 historical forest area. They are not in the natural  
6 habitat zone, so they are limited because they're --  
7 just like geology, the sand or whatever is in the  
8 historical forest boundaries. So we are not terracing  
9 in a native plant rehab habitat area.

10 FACILITATOR KERN: I mean, I understand that,  
11 and I'm not going to -- I mean, for me, it's the park --  
12 I don't look at the park, "Oh, that's forest and that's  
13 native plants," and I look at it holistically.

14 MS. FANELLI: No, I understand. I just wanted  
15 to clarify when you say "in the natural area" that it's  
16 in the historical forest zone, if that makes a  
17 difference for people to understand how that's spread  
18 out.

19 FACILITATOR KERN: Yeah, I'm speaking  
20 naturalized in plants versus a building there.

21 MS. FANELLI: Right.

22 All right. All right. Well, those are my  
23 comments on the design.

24 Any other thoughts on that?

25 MS. CHEEVER: Sorry I haven't been following

1 this whole project too closely. But you said it had to  
2 be winterized by September 30th. But can they keep  
3 working after September 30th if there aren't rains, and  
4 will that improve things?

5 MS. FANELLI: They probably will not, no.

6 MS. CHEEVER: So the amount of work they're  
7 supposed to do by September 30th is very set, and then  
8 you're just waiting until --

9 MS. FANELLI: Now, for example, after  
10 September 30th, say we do have all of the waste out and  
11 we could plant forest, that could happen and likely  
12 would happen after September 30th, so within that zone  
13 you could see tree planting. But you won't see any  
14 earth-moving equipment. All those slopes will be  
15 stabilized and winterized.

16 If you remember the beginning of the wet season  
17 is normally October 15th. The first heavy storm last  
18 year that hit Landfill 10 was, I think, October 9th or  
19 12th. So it came early, and we certainly don't want to  
20 run the risk of that happening next year.

21 MS. BLUM: I just got the notification that the  
22 Quartermaster Reach EA had been released, and I did  
23 glance at it. But I don't remember when Caltrans is  
24 going to construct the hole. Do you remember what the  
25 date is on that? Is that this year, this winter?

1 MS. FANELLI: I'm sorry. Construct the ...

2 MS. BLUM: The Quartermaster Reach hole that  
3 they were going to dig past 230 on the way to Crissy  
4 Field.

5 MS. FANELLI: I do not know when Caltrans is  
6 doing that. It's certainly not this year, I do not  
7 believe, because we haven't done 231 yet.

8 MS. BLUM: Okay.

9 MS. FANELLI: We're not planning to do 231  
10 until next year, next spring.

11 MS. BLUM: Okay. So probably 2011 or 2012.

12 FACILITATOR KERN: Other questions? Any on 8  
13 and 1 or 2? All right. Very good.

14 Moving on to item number six in our Regulatory  
15 Agency Status Updates. Anything?

16 MS. FARRES: No.

17 FACILITATOR KERN: Thank you.

18 Item number seven, we had talked about having a  
19 walking tour at our July committee meeting, and so I  
20 would like to establish the time and place where we  
21 would meet for that. I think, if you haven't seen 8 and  
22 10, it might be worth actually going over to see those  
23 and then venturing over to Fill Site 1 and 2 after that.  
24 So I would propose that we meet as we have met before at  
25 7:00 at Landfill 10. Check that out. Walk over to 8.

1 Drive over to 1 at El Polin Spring.

2 Very good. That was easy.

3 MS. FANELLI: So Fill Site 1, Landfill 2 now is  
4 gated and locked, so there isn't really any access. If  
5 there's a desire to actually go down to Quarry Trail, I  
6 would have to make arrangements to have somebody there.  
7 I would need to have a time, you know, just to be good  
8 for them, that you would be showing up there.

9 FACILITATOR KERN: I hadn't anticipated that we  
10 might get to go up on that trail. If we want to, that  
11 would be good. We could view it from down below. It  
12 might be --

13 MS. FANELLI: The best view also might be from  
14 Inspiration Point, as well of the post site 1, Landfill  
15 2. My understanding is they're moving waste at Fill  
16 Site 1 initially, and you would be able to see that  
17 clearly.

18 FACILITATOR KERN: Let's meet at El Polin  
19 Spring, and we can walk around and get the best vantage  
20 point. I think that will work. So I don't think we  
21 need to go on that trail.

22 MS. FANELLI: Okay.

23 MS. CHEEVER: Hey, Doug.

24 FACILITATOR KERN: Yes.

25 MS. CHEEVER: Just a thought. Right now it's

1 still light at 8:00, but do you have any way of knowing  
2 whether it will be a month from now?

3 MR. BERMAN: No, it's two weeks.

4 MS. CHEEVER: Two weeks from now. Oh, okay.  
5 Sorry.

6 FACILITATOR KERN: I could check the sunset on  
7 my iPhone.

8 MS. BLUM: Really? Is there an app for that?

9 FACILITATOR KERN: Of course there is. I think  
10 we would still have time. It will probably take me way  
11 too long under pressure to get this done. I'll hit the  
12 wrong button or something. I wouldn't even be able to  
13 find it under pressure.

14 MS. MONAGHAN: The sunset is about 7:30 now, so  
15 it would be about 7:15.

16 FACILITATOR KERN: That sounds good.

17 Well, it's still light out now. You mean 8:00?

18 MS. MONAGHAN: Well, sunset. It's not long  
19 after sunset.

20 FACILITATOR KERN: Okay. 7:00, Landfill 10.  
21 We'll go from there. We'll make it fast.

22 Is there any public comment? Any other  
23 comments?

24 MR. BERMAN: What was the final word on the  
25 request for the extension?



1 FACILITATOR KERN: That request was denied.

2 MR. BERMAN: And that's it?

3 FACILITATOR KERN: The primary basis was that  
4 the department said in their letter they felt there was  
5 no basis because there was no new information presented  
6 at the public hearing.

7 MR. BUDROE: So your comments were taken as no  
8 new information or --

9 FACILITATOR KERN: Our comments that were  
10 submitted before the deadline were considered. The  
11 issue around selenium, which is what we were pursuing,  
12 it's kind of a little bit gray. I mean, in the letter  
13 they deny our request, but they still had the meetings  
14 with Dr. Polisini, and they still listened to us, and  
15 they extended the RAP comment period.

16 Well, they didn't actually extend it. They  
17 delayed signing off on the RAP until that meeting, so  
18 we're kind of in the middle, I would say. I think that  
19 the claim that there was no new information presented is  
20 still clearly, in my mind, open for discussion.  
21 Actually, the letter continued to not address the  
22 specific information that was new. It continued to  
23 point at the information that we acknowledged already  
24 was information that we knew about, but I think we had  
25 our say. It was ultimately rejected in favor of

1 relaxing the cleanup effort.

2 Which does actually bring up one other point,  
3 and I would just offer this for your consideration, is I  
4 know now that because the selenium level has been  
5 increased that -- or the cleanup level has been made  
6 higher, that now selenium is now not included as a COC  
7 in the design in the Remedial Action Work Plan. I'm  
8 wondering if the implication of that is to then not  
9 actually test for it or report on it or a combination of  
10 those.

11 It just seems prudent to me that given that  
12 there were some selenium detections above the now 2.0  
13 cleanup level, that those were still found in the  
14 previous data, that might not be prudent to still report  
15 on the selenium. And maybe I'm just misinterpreting  
16 that selenium was taken out as a COC, what the  
17 implication of that is.

18 MS. FANELLI: I'm not sure I have the answer.  
19 I'm not sure if selenium is one of the standard metals  
20 that comes out of the analysis.

21 FACILITATOR KERN: It seems like it's one.

22 MS. FANELLI: I'm not sure. If it is, then it  
23 probably just comes out, and we'll get it. I don't know  
24 if we've specifically analyzed it for that.

25 FACILITATOR KERN: Thank you.

1 MS. BLUM: So I may have missed something here.  
2 I thought we were just changing the level, the  
3 acceptable level of selenium for this particular site,  
4 or is it Presidio-wide now?

5 MS. MONAGHAN: No, it's just for the site.

6 FACILITATOR KERN: No, it's just for the site.

7 MS. BLUM: Okay.

8 FACILITATOR KERN: There is a process in the  
9 circle process where you examine all the pesticides, all  
10 the metals, and you intentionally try to screen out the  
11 ones that you don't detect or are not above the cleanup  
12 level. Well, in this case, we had detections of  
13 selenium, and then the cleanup level was raised.

14 So in the design document now, selenium is no  
15 longer included as a COC because it's not anticipated  
16 that it will be detected above the cleanup level. And I  
17 just think it would be nice to know that if it's still  
18 part of the suite of metals that we would get anyway,  
19 that it still be reported out. It just seems like that  
20 would be prudent.

21 So I had another comment. Thank you for that.

22 So action items, we have our next walking  
23 meeting at 7:00, Landfill 10. We'll go from there.

24 Agenda items, I suppose we should decide now or  
25 discuss, we have time, whether we would like to have a

1 meeting in August. I would just offer that I very much  
2 appreciate the wonderful turnout that we have tonight.  
3 That's very much appreciated.

4 How are people's schedules looking for August?  
5 And thinking about what we would have to be dealing with  
6 would be, I'm anticipating there will be lots of  
7 activity at Fill Site 1, Landfill 2. So we would hear  
8 about that.

9 MS. MONAGHAN: We should have an update on E,  
10 too, for August.

11 MS. FANELLI: We may not actually have a  
12 written report, though.

13 MS. MONAGHAN: Okay.

14 FACILITATOR KERN: Would you anticipate that  
15 there would be by the second Tuesday --

16 MR. ULLENSVANG: August 10th.

17 FACILITATOR KERN: -- August 10th that things  
18 would be moving along?

19 MS. FANELLI: I don't know if they will have  
20 actually done their trenching or their work along the  
21 perimeter. I don't have their schedule. September is a  
22 better bet, to be honest, in terms of the perimeter  
23 work. I can ask Genevieve, the PM.

24 FACILITATOR KERN: And how about at Fill Site  
25 1, Landfill 2; would you anticipate work well under way

1 by then?

2 MS. FANELLI: Oh, yeah, I do. I'm not sure  
3 what kind of confirmation sampling we would have at that  
4 point in time. We may not have that kind of information  
5 back by the 10th, but we will definitely have made some  
6 significant progress. We better have, in terms of waste  
7 removal.

8 FACILITATOR KERN: Well, we could do another  
9 walk-through of that site, would be one option, and go  
10 check it out. So that would be an option, is for people  
11 that are in town is to meet and go look at the site  
12 since it will be under way.

13 How do people feel about having the formal  
14 meeting in August?

15 MS. MONAGHAN: I'll be here.

16 MR. BUDROE: I'll be here.

17 FACILITATOR KERN: Well, I'll be here.

18 MS. CHEEVER: I unfortunately won't.

19 MS. FARRES: I will be out of town.

20 FACILITATOR KERN: Well, I think we should have  
21 the regular meeting, then, without objection. We will  
22 hold that regular meeting, and then we'll decide what to  
23 do as that date approaches. Okay.

24 MR. BUDROE: And, Doug, I had a question on --  
25 I was thinking about what you had just said about the

1 selenium and would it be continued to be reported out.  
2 And you raised the question here. Is that question  
3 directed to DTSC, or how will we find out the answer  
4 to --

5 MS. FANELLI: I'll check our plan. I'll send  
6 out an e-mail response in terms of whether or not it  
7 comes out of the metals analysis. I'll check in on it  
8 and get back to you.

9 MR. BUDROE: Okay. All right.

10 FACILITATOR KERN: Thank you, John.

11 Are there any other items for the good of the  
12 order?

13 MS. BLUM: Oh, yes.

14 FACILITATOR KERN: Yes.

15 MS. BLUM: Well, maybe, for August, in a  
16 committee meeting we could talk about land use controls.  
17 My particular concern is, as the remediation is finished  
18 and time passes and the Trust starts to want to develop  
19 additional units, residential units within the Presidio,  
20 possibly as they remove Baker Beach in 2020, or  
21 whatever, how will the land use controls be managed  
22 properly in the future.

23 I think I've heard that they are written down  
24 on that, but that just seems kind of vague. So I would  
25 like to talk about land use controls and how they are

1 actually controlled, monitored, managed.

2 MS. MONAGHAN: Implemented.

3 MS. BLUM: Implemented, yes.

4 FACILITATOR KERN: I've made a note of it.

5 Anything else?

6 Well, then I'd like to thank Eileen and Brian  
7 and Agnes, our folks here from the agencies, for coming  
8 out tonight, and all of you for coming, our reporter,  
9 thank you. I hope everyone has a continued good summer.

10 Without objection, meeting adjourned.

11 (The meeting concluded at 8:12 p.m.)

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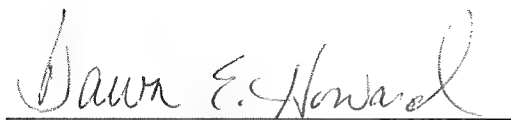
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CERTIFICATE OF REPORTER

I, Dawn E. Howard, hereby certify that said proceedings were taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and were thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true, and correct record of said proceedings which took place;

That I am a disinterested person in the said action.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 22nd day of July, 2010.

A handwritten signature in cursive script that reads "Dawn E. Howard". The signature is written in dark ink and is positioned above a horizontal line.

DAWN E. HOWARD  
CSR No. 13201



RAB Meeting.txt

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

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REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, AUGUST 10, 2010  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

24 Reported by: MARK I. BRICKMAN, CSR, RPR  
License No. 5527

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ATTENDEES

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RAB Members:  
Doug Kern, Facilitator  
Mark Youngkin  
Eileen Fanelli  
Brian Ullensvang  
Peter O'Hara  
Jan Monaghan  
John Budroe  
Edward Callanan  
Julian Hultgren

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BE IT REMEMBERED that, pursuant to Notice of  
the Meeting, and on August 10, 2010, at the Officer's  
Club, Building 50, Presidio of San Francisco, California,  
before me, MARK I. BRICKMAN, CSR No. 5527, State of  
California, there commenced a RAB meeting under the  
provisions of the Presidio Trust.

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0003

AGENDA

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- 1) Welcome and Introductions - Doug Kern
- 2) Agenda Discussion and Approval
- 3) Announcements and Old Business

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RAB Meeting.txt

6	4) Committee Business Report - Mark Youngkin	4
7	5) Discussions & Presentations:	
8	A. Landfill 8/10 Status Update	15
9	B. Landfill 2/FS1 Construction Update	5
10	6) Regulatory Agency Status Updates/Inputs	
11	A. Denise Tsuji - Not present	
12	B. Agnes Farres - Not present	
13	7) New Business	25
14	8) Review of Action Items and Agenda Items	29
15	9) Adjournment	32

0004

1 FACILITATOR KERN: Welcome -- I can still  
2 actually welcome you all individually. Welcome to John  
3 and Jan, Brian and Doug and Peter and Eileen and Mark to  
4 our intimate August 2010 RAB meeting.  
5 We're going to have the agenda. Are there  
6 any changes? Seeing none, new announcements? Old  
7 business.  
8 Committee business. At our last committee  
9 meeting, we ventured out to the site of fillsite 1 and  
10 landfill 2 and observed what had been going on.  
11 Quite a bit of digging, moving soil about,  
12 and we'll talk about that more tonight. I went out to  
13 the site yesterday and quite a bit more had been done in  
14 the intervening two weeks.  
15 So that was -- that was about the extent.  
16 I spent about an hour out there looking around.  
17 Any thoughts on the -- what other people  
18 saw there at the --  
19 MS. MONAGHAN: I -- I was surprised at how  
20 deep it was. I'm sure it's a lot deeper now.  
21 FACILITATOR KERN: And the trucks, when  
22 they come down off that road, then they make a fairly  
23 steep drop down into it, and that's gotten steeper as  
24 they start to excavate part of it.  
25 MS. MONAGHAN: I have to go.

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1 FACILITATOR KERN: All right. Moving on  
2 to our -- the main portion of our meeting, and we'll ask  
3 Eileen if she has any updates for us.  
4 MS. FANELLI: Okay. And I'll ask actually  
5 ask Brian to chime in and add an update. Let's start  
6 with B, landfill 2, fillsite 1 since that's what you were  
7 all talking about.  
8 We are indeed making good progress. We  
9 remain concerned about getting all the waste out by  
10 September 30th and the site buttoned up.  
11 We are running a considerable number of  
12 trucks. We're averaging well over a hundred a day, and  
13 you saw how efficiently they were kind of coming in,  
14 loading up and being turned around.  
15 We're a little bit limited because we're  
16 voluntarily not starting for the noise, and based on the

17 distance to the class 2 disposal site, which is Potrero  
18 Hill -- I think it's out Vacaville way -- the trucks  
19 can't make a full three trips starting at that time  
20 before the landfill closes.  
21 So they've been doing pretty well, but each  
22 truck is maybe getting 2.2 trips in.  
23 At the same time, we're taking material,  
24 class 1 material out. It goes out in a different truck.  
25 It goes out in containers that are covered. We've been

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1 running between forty and fifty of those a day and about  
2 ninety to a 115 of the class 2 trucks.  
3 So the hole is quite larger.  
4 FACILITATOR KERN: It's larger than  
5 expected -- than it was expected --  
6 MS. FANELLI: No. It's not larger than  
7 expected. It's larger than when you saw it.  
8 MS. MONAGHAN: Oh, yeah.  
9 MS. FANELLI: But it's going very well at  
10 this point. We haven't had any -- any serious hiccups  
11 other than we're constantly worried about schedule  
12 because we're starting a lit bit late, but our commitment  
13 is still to button it up by September 30th whether the  
14 waste is out or not and return the next year.  
15 FACILITATOR KERN: Are you finding -- is  
16 there the class 1 mixed or is it in pockets or is anybody  
17 characterizing it?

18 MS. FANELLI: Yeah. The contractor did --  
19 we have to do a waste profile to get the stuff. The  
20 contractor is direct hauling. We're not stockpiling, so  
21 it did speed things up.  
22 We did do some additional sampling as to  
23 what we did with the feasibility study and did our waste  
24 profiling and the direct hauling.  
25 So they're pulling from areas, basically,

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1 and taking it out to the disposal facility.  
2 A lot less debris in fillsite 1. They're  
3 really hauling mainly soil. There's not a lot of debris.  
4 There's small pockets, but not a lot. More debris in  
5 landfill 2. Not any more than what was expected, but  
6 that's where we had more chunks.  
7 The contractor's doing a little bit of  
8 separation of concrete blocks and metal at fillsite 1 for  
9 recycling.  
10 We are beginning confirmation sampling at  
11 fillsite 1 this week, hopefully laying out the grid in  
12 that portion of that area, and we're hoping to do the  
13 same for the upper portion of landfill 2 in the next week  
14 or so depending on where they are, breaking things down.

15 FACILITATOR KERN: So you're hauling from  
16 fillsite -- landfill 2 simultaneously?  
17 MS. FANELLI: Yes. Yes, we are.  
18 So that's been a little bit of logistics as  
19 they work their way -- with that big hole, there's a  
20 little tighter turning radius with the trucks.  
21 They're slowing down production just a tad,  
22 but today's numbers were I think 43 class 1 and 92 class  
23 2. So they're still doing pretty good production  
24 numbers.

25 FACILITATOR KERN: Any -- I guess just as  
0008 1 a curiosity, the incinerator, is there -- has that been

2 moved?

3 MS. FANELLI: I think that's actually  
4 being moved tomorrow.

5 FACILITATOR KERN: Oh.

6 MS. FANELLI: So it's sitting up on an  
7 island. It's sitting up on a pedestal right now. I  
8 think they've got their planning.

9 I didn't personally review it, but they're  
10 going to be moving it tomorrow or the next day and  
11 digging the rest of that.

12 FACILITATOR KERN: I'm -- I guess when I  
13 go out there and look at it, I'm still -- you know, I'm  
14 seeing bricks and things still kind of embedded in parts,  
15 so it's still not clear how much more is going to come  
16 out.

17 MS. FANELLI: They're almost close on  
18 fillsite 1. Probably Thursday/Friday, we're hoping that  
19 they have completely dug the first big part on fillsite  
20 1.

21 Landfill 2, they're not done. There's  
22 still plenty that they have to haul out. That's why I'm  
23 not clear if they might do confirmation sampling there.

24 We didn't break fillsite 1 into two. We  
25 thought we might do confirmation sampling for the other

0009 1 half. It didn't really work that way with the truck  
2 circulation.

3 So that one's going to be pretty much  
4 excavated before they start -- they're going to begin to  
5 lay out grid controls, I believe, Thursday for the  
6 confirmation sampling, but I'm not positive when they'll  
7 actually grab the samples. It could be Friday. It could  
8 be next -- next Monday.

9 On landfill 2, we're trying to get it so  
10 they continue finish scraping everything down from the  
11 upper areas; basically clear that, and then they could  
12 sample that sooner.

13 So that we have a better idea if we need to  
14 go back, where we have to go back, et cetera.

15 And then when they finally get the rest of  
16 the bottom part of landfill 2, then we'll be able to do  
17 the sampling there.

18 We have had a full-time monitor on landfill  
19 2 from MEC, or unexploded ordinance. Haven't found  
20 anything. We've also had archeologists coming out  
21 periodically as we've gotten closer for structures and  
22 what not.

23 I didn't see it, but I think the only  
24 interesting thing that we've turned up is a headstone  
25 which I guess they've found before, misspellings or

0010 1 something like that, waste stones that they throw in  
2 there.

3 So archeology did put that aside and is  
4 checking the names to see if it's someone important or  
5 not. But that is that was in landfill 2.

6 FACILITATOR KERN: Interesting. How --  
7 what's your sense of how the extent of the excavation is  
8 going compared to what you were thinking it was going to  
9 be? Pretty much --

10 MS. FANELLI: It's pretty much on target  
11 right now. So the confirmation sampling will tell a lot.  
12 I think in some areas, just because it was

13 easier to excavate, they might have dug a little over.  
 14 I know that was on fillsite 1 in  
 15 particular, one area we were segregating some soil that  
 16 it was for the landfill, because they had some sample  
 17 that the landfill didn't like.

18 So they separated it, stockpiled it, re-  
 19 sampled it and then got clearance, and I think in that  
 20 process -- not purposely, but because of the mechanics,  
 21 they probably took a little bit more sidewall because it  
 22 was from a wedge and this was the bad sample, and they  
 23 scooped out a little more.

24 So a lot will tell as we get into the  
 25 bottom of -- we're at the deepest part of fillsite 1

0011  
 1 right now.

2 So they are finding a little bit more  
 3 debris in there, and that's towards the western area that  
 4 you have -- you were more concerned with before, and we  
 5 haven't really dug down to that lower portion of landfill  
 6 2 yet.

7 FACILITATOR KERN: I notice there was like  
 8 a large pile of either tree stumps or wood that was  
 9 coming out of the landfill.

10 I mean, there was a big pile of like chunks  
 11 of wooden debris coming up, not boards, but like stumps  
 12 and --

13 MS. FANELLI: There might have been some  
 14 buried debris. I don't have a good answer.

15 FACILITATOR KERN: Ah.

16 MS. FANELLI: Because I think we ground  
 17 most of the stumps before we started excavation. There  
 18 could still have been some of that in the ground before  
 19 they took out the stockpile.

20 FACILITATOR KERN: Yeah. I may be able to  
 21 get you a picture on here.

22 MS. FANELLI: I can certainly find out.  
 23 I'll had Shannon Wright our construction inspector and  
 24 he'll be able to tell me.

25 FACILITATOR KERN: Any other --

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 1 MS. MONAGHAN: Well, you said that you're  
 2 mostly taking out soil. I'm trying to figure out. So we  
 3 have soil there. So the Army put junk in there and then  
 4 covered it with soil and there's layers of things.

5 Is that --

6 MS. FANELLI: It just doesn't have that  
 7 high of a debris.

8 MS. MONAGHAN: Oh.

9 MS. FANELLI: I guess when we're doing  
 10 test pits here and there, it's hard to estimate. It's  
 11 pretty much all fill soils.

12 MS. MONAGHAN: Okay.

13 MS. FANELLI: It's not native soils. It's  
 14 fill soils, but it doesn't have a lot of debris in it.

15 There's lower portions that has a little  
 16 higher amount of debris.

17 FACILITATOR KERN: See, in the upper  
 18 right, there's kind of a big pile of wood.

19 MS. FANELLI: It could have come out of  
 20 there. It would have been waste material that they  
 21 pulled out. Actually, it might be, because when I talked  
 22 to Shannon Wright today, he said they have a pot where  
 23 there's more organic material.

24 Then he started talking about the metal in  
25 the concrete and that might have been what he's referring  
0013 to.

1 You took that today?  
2 FACILITATOR KERN: That was yesterday.  
3 MS. FANELLI: That might have been the  
4 material that they were pulling out. There was an area  
5 where the Army got rid of some trees.  
6 FACILITATOR KERN: There were some steam  
7 vents that could occasionally come out of fillsite 1. It  
8 could have been this wood.  
9

10 MS. FANELLI: But otherwise, we haven't  
11 had any hiccups. We're still concerned obviously about  
12 schedule. We're still committed to having it done  
13 September 30, and we'll see.

14 FACILITATOR KERN: So you started around  
15 the beginning of July? Do you recall?  
16 MS. MONAGHAN: The second Monday of July  
17 or something.

18 MS. FANELLI: Yeah. I'm trying to -- it  
19 was -- we gave them their -- basically their NTP came in  
20 as soon as we got the RAP signed, and there was a week or  
21 so of documents that had been prepared.

22 So I think they actually mobilized at the  
23 site around the 4th of July.  
24 FACILITATOR KERN: It seems like things  
25 are going --

0014 1 MS. FANELLI: They are.  
2 FACILITATOR KERN: We have a pretty good  
3 shot at getting it done.

4 MS. FANELLI: Let's hope.  
5 MR. YOUNGKIN: Is lead an issue in the  
6 soil disposal?

7 MS. FANELLI: Not for landfill -- not for  
8 fillsite 1, no. It's not. It is for landfill 2. I'm  
9 not sure that's the driver, but I'm going to guess it  
10 probably is.

11 MR. YOUNGKIN: California class 1?  
12 MS. FANELLI: There's some class 2  
13 material in landfill 2. There's some California class 1,  
14 and then there's a layer of ash that we know about that  
15 we're not certain, but is likely RCRA because of the  
16 metal content.

17 MR. YOUNGKIN: And you're basically  
18 limited by the number of trucks per day; right?  
19 It's very efficient out there. It looks  
20 like they could --

21 MS. FANELLI: It's very efficient. We're  
22 limited, yeah, by the time. If we could start a little  
23 bit earlier.

24 We're having internal discussions to see if  
25 landfill 2, we could begin to run trucks at 7:00, because

0015 1 that would actually -- if we do the math, it could easily  
2 cut down a day, a week. It's worth a lot to us time-  
3 wise.

4 When we're done running the trucks, there's  
5 still opportunity for efficiency, but it's not as much as  
6 during the truck run.

7 We could run a double crew or a crew and a  
8 half, things that we do. It will be a little less noisy

9 than the trucks.

10 I actually am pleased to have a front row  
11 seat because I look right out at Barnard Avenue and I see  
12 them coming in and out all day long.

13 So it's been fun for me to be able to  
14 monitor that indirectly. I can see them driving all day  
15 and the trucks coming in and out.

16 FACILITATOR KERN: I think we -- I  
17 neglected to mention that on the -- the committee  
18 meeting, we actually started at landfill 10 and landfill  
19 8.

20 We did look at that, as well. It looked  
21 like everything was planted, but there was still maybe  
22 the top area needed some planting.

23 MS. FANELLI: Yes. So landfill 10 is from  
24 a slope and would be essentially complete. There is  
25 still some issues that aren't really remediation issues.

0016 1 It's our Planning Department's issues and some of their  
2 thoughts.

3 Unfortunately, it's not planted, which is a  
4 concern to me, but our planning people include our  
5 natural resources, and so we're -- I'm a little worried  
6 about some of the plants up there, but supposedly they're  
7 monitoring it.

8 I'm really hoping that they work through a  
9 couple of their design issues and we get it done in the  
10 next week, but it is completed up there.

11 We will be adding additional fabric around  
12 the top area, and -- and then the plants will go in, and  
13 then our planning group will likely continue to do other  
14 work out there; not necessarily on the landfill 10 site  
15 itself, but they might do some landscaping right next to  
16 it and to the east of 15th Avenue.

17 You'll probably see some additional  
18 planting, but it won't necessarily be the remediation  
19 department.

20 I think we're going to be back out there  
21 later in September on the bioswales. The bioswales are  
22 okay. They need a little extra planting or erosion  
23 control, but I think that the planning department has  
24 made some design decisions.

25 They want to do a little bit of

0017 1 modification, change out some of the plants that are in  
2 there. So you'll see some of that work, as well,  
3 happening, probably later in September.

4 And then the big issue that remediation has  
5 still is the total landfill 10 design, and I think we're  
6 getting pretty close with that.

7 PWA is a engineering/hydrology firm that  
8 does sort of restoration of natural systems, and I wasn't  
9 there, but Brian was with them and Connie and I think  
10 that we worked through a lot of the major concepts.

11 I don't know if you want to describe that,  
12 you know, what we're -- we haven't finished the drawings,  
13 but maybe describe the concept.

14 MR. ULLENSVANG: What we agreed to is  
15 essentially that erosion control measures on the cap  
16 extend off into the edge. So through the drainage that  
17 comes around there.

18 Our desire is to have a fairly natural  
19 sheet flow off the site into the natural habitat, and so

20 we had our folks out there show how you could extend the  
21 existing systems through that area quite easily and  
22 effectively.

23 MS. FANELLI: So I think that that's where  
24 the design is heading, and there's some additional work  
25 at the toe where there will be some additional erosion

0018 1 control measures, and the PWA is actually checking and  
2 finalizing their hydraulic analysis relative to these  
3 flows, and we're waiting for them any day now to get us  
4 sort of that agreed upon concept out in the set of  
5 drawings so that we can get it planned.

6 And then that construction -- that is the  
7 critical path item in my mind. That is something that we  
8 are trying to get out in the next week or two, and then  
9 construct. That has to obviously be constructed before  
10 the winter.

11 Likely -- you didn't describe the toe as  
12 much, but I think we're going to be removing or pushing  
13 yet some of that sand out of there and flatten it a  
14 little bit more at the toe in addition to putting some  
15 additional erosion control measures in there to slow down  
16 the water.

17 We'll be doing a final check, of course, on  
18 the slope. It is planted. I think in some of the  
19 planting and irrigation placement, there is -- some of  
20 the booms are a little pulled up.

21 So we're going to go back in and get them  
22 stamped in well to make sure that the fabric is clearly  
23 tightened and in place before we leave the site.

24 MR. ULLENSVANG: They're not placed  
25 correctly, so they're put on -- they're still --

0019 1 MS. FANELLI: They're going to check it,  
2 yeah. Wherever they're not right, they're going to check  
3 it and fix it to make sure that we have that as good  
4 as -- as good as we can have it before the rain starts.

5 And I think in this -- the BMPs in the  
6 swale area, one that I think that we didn't use on the  
7 slope that you'll see in that area is going to be some  
8 rice straw.

9 So they'll put some rice straw slightly as  
10 an erosion control measure. It can be planted through  
11 that, and I know Park Service, you're looking at plants  
12 that we prioritized plants.

13 MR. ULLENSVANG: Mm-hmm.

14 MS. FANELLI: We want it at the  
15 appropriate time frame as we get all the erosion controls  
16 in place.

17 MS. MONAGHAN: And can all the  
18 construction be done before the rainy season starts?

19 MS. FANELLI: Oh, yeah. It has to be.

20 FACILITATOR KERN: One thing when we were  
21 on the top and we were looking down, it was cold and  
22 windy at the time and all the plants -- you could see  
23 where we were planted, but everything looked, you know --  
24 with roaring wind and super cold, you were wondering how  
25 anything could survive, you know, in that environment.

0020 1 Are you hearing anything about it? Are the  
2 plants doing okay?

3 MS. FANELLI: I haven't heard anything  
4 other than indirectly through Lew that they seem to be



5 doing well. I don't have any other knowledge.

6 I think early on that certain plants --  
7 like the oaks weren't doing as well. There was one plant  
8 species that wasn't, but overall, I haven't heard that  
9 there's any major issue.

10 I'm sure there are some plants that are  
11 doing better than others.

12 There are some, the large trees down by  
13 the -- the larger trees by the Weinstocks and up on the  
14 landmark lawn, pine trees or something and they looked --  
15 on the windward side, they're kind of all turning brown.

16 But hopefully when it gets warmer in the  
17 fall, maybe things will actually grow.

18 MS. FANELLI: You point out something that  
19 reminds me of why folks like Peter like to plant small  
20 trees, because the larger trees in that kind of  
21 environment do not do as well.

22 There is a higher mortality when you plant  
23 large trees. They're more susceptible. Their roots  
24 aren't as deep. They're more susceptible being dropped  
25 by the wind.

0021 1 That's why the Trust in that environment  
2 tends to select the very small plants.

3 Forest City didn't do that because it  
4 doesn't look as nice right off the bat, but then you have  
5 a higher maintenance issue and a higher mortality issue  
6 with the larger trees.

7 MR. BUDROE: Did Forest City pay for those  
8 plantings?

9 MS. FANELLI: On those portions, yes.  
10 They certainly did, as part of their development.

11 They did have -- I think they're having  
12 their celebration open house in September for the Forest  
13 City development, and I know I recently got to see the  
14 inside of a couple of them. Pretty spectacular what they  
15 did to that building.

16 FACILITATOR KERN: Good views?

17 MS. FANELLI: I was only on the second  
18 floor, but yes. From there, it was good views, but from  
19 the top floor, it must be a really interesting view.

20 MS. MONAGHAN: So they're using the  
21 parking lot now, right?

22 MS. FANELLI: They are.

23 MS. MONAGHAN: Yes.

24 MS. FANELLI: We still have folks out  
25 there.

0022 1 MS. MONAGHAN: It was empty when we were  
2 there, so --

3 MS. FANELLI: I think they might have  
4 their first tenant moving in that couple of weeks.

5 MS. MONAGHAN: Oh, good.

6 MS. FANELLI: So that's where we are with  
7 10.

8 8 is essentially done, and 9, we're -- we  
9 have a revised grade plan work, working with Park  
10 Service. We're getting that out.

11 We hoped to have it out today, maybe  
12 tomorrow, and I know we're going to review with DTSC next  
13 week and then our hope is to turn around and do that  
14 right away, as well, and they indicated that they can  
15 have two crews so that we'll have -- we won't sacrifice

16 landfill 10.  
 17 10 will happen, and then 9 will be another  
 18 crew coming.  
 19 FACILITATOR KERN: I think the only other  
 20 question that comes to my mind is how are things budget-  
 21 wise as the -- these most recent landfills are -- about  
 22 expected in terms of invoicing and --  
 23 MS. FANELLI: Yeah. We're going to -- we  
 24 do our budget updates annually, so next month, I'll do  
 25 the budget update for the quarterly report, and I think I

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 1 reported last month that we are going to adjust the  
 2 landfill 10 up a bit, and we're -- you know, we  
 3 terminated our contractor and we brought in Pat Estate.  
 4 So there's going to be some uncertainty as  
 5 we work through the settlement with the contractor.  
 6 I'm not expecting surprises, but I'm going  
 7 to work with our -- and take guidance from the Finance  
 8 Department and Trust on how they want to show potential  
 9 liabilities, potential concerns.

10 The bids for fillsite 1 and landfill 2 came  
 11 in under engineer's estimate. The engineer's estimate  
 12 does increase over what the previous budget was.  
 13 Fillsite 1, landfill 2.

14 So we're likely going to show a budget  
 15 increase, but I think in actuals, it's actually going to  
 16 be a little bit lower, and the reason it's going to be  
 17 lower is we were estimating a larger import, and I don't  
 18 think we're going to need to import nearly as much soil.  
 19 I think we're going to be cut balance to import slopes.

20 We're going to import a little bit, but I  
 21 think we're going to import soil from the Doyle Drive,  
 22 which is better than off the Presidio properties because  
 23 we'll have Presidio soil smoother to location on the  
 24 Presidio.

25 So I'm expecting better than bid final  
 0024 price on that.

1 Now a lot will depend on whether we go into  
 2 another construction season, because I will incur another  
 3 mobilization and all those kinds of costs and we'll have  
 4 to see what happens there.

5 FACILITATOR KERN: My recollection for the  
 6 two was something like six and eight million.

7 MS. FANELLI: Mm-hmm.

8 FACILITATOR KERN: And that's about --

9 MS. FANELLI: That's where I'm leaving the  
 10 budgets right now, yes.

11 FACILITATOR KERN: Other questions on  
 12 these? Yes.

13 MR. O'HARA: Could I go off the subject  
 14 for just a moment? Have there been any discoveries,  
 15 surprises as a result of the Doyle Drive excavations?  
 16 Anything in the way -- anything that affects your  
 17 organization or your area of expertise?

18 MS. MONAGHAN: New remediation projects?

19 MS. FANELLI: No. I'm trying to think,  
 20 Brian. Have you heard?

21 MR. ULLENSVANG: There was a press release  
 22 that Caltrans put out regarding archaeological issues --  
 23 I don't know the details behind that -- a week or so ago.

24 MS. FANELLI: Archaeological issues?  
 25

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1 MR. ULLENSVANG: I haven't heard.  
 2 FACILITATOR KERN: I heard something about  
 3 that where they were actually finding archaeological  
 4 artifacts.  
 5 MR. ULLENSVANG: I saw the news report,  
 6 but I don't know the substance behind it, and I heard  
 7 that they were going to press a bit. I saw it on the  
 8 news. I assume the Trust is involved.  
 9 MS. FANELLI: I'm ignorant.  
 10 MR. O'HARA: So no contamination things.  
 11 MS. FANELLI: No. Not unexpected. We  
 12 knew the upper couple feet of soil had lead in it from  
 13 the highway and Caltrans has taken that all off and  
 14 they've been taking that all off.  
 15 We haven't run into any surprising goo or  
 16 anything like that anywhere.  
 17 MR. O'HARA: Thank you.  
 18 MS. FANELLI: You're welcome.  
 19 FACILITATOR KERN: Other questions.  
 20 All right. We can move on to our  
 21 regulatory agency status update. That will go quickly.  
 22 On to new business.  
 23 Any new items? I suppose on new business,  
 24 are there any progress on landfill E or other RAPs going  
 25 on?

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 1 MS. FANELLI: We are working on the -- I  
 2 guess it's updated feasibility study for landfill E that  
 3 has the new data that was collected in it and is updating  
 4 the cover designs, and I think our schedule to get that  
 5 issued is in September time frame, and it would be  
 6 followed by completion of the RAP.  
 7 And we're doing similar as on other sites  
 8 where we're bringing a conceptual design along with  
 9 the -- the RAP process in order to be able to more  
 10 completely respond to the CEQA document and estimate  
 11 trucks and what not. And so that is moving along.  
 12 We are also trying to move along on the  
 13 Mountain Lake RAP. There the feasibility study I believe  
 14 stands looked at soil -- sediment removal.  
 15 What we're actually doing now is sort of  
 16 updating the engineering analysis of that is how we can  
 17 do it. Now what is technically appropriate alternative.  
 18 So I believe URS is looking at three types  
 19 of sediment removal processes and analyzing the costs/  
 20 benefits of those different methods, and that information  
 21 will provide sort of a basis for conceptual design to  
 22 support the RAP, and that is running at about at the same  
 23 schedule.  
 24 So I expect that the next documents you'll  
 25 see are going to be related to landfill E first and then

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 1 Mountain Lake.  
 2 FACILITATOR KERN: I guess along those  
 3 lines, can you tell us anything about what's been  
 4 happening with the whole Mountain Lake litigation that's  
 5 not, you know -- that you can say?  
 6 MS. FANELLI: We're in discovery with  
 7 documents. There's been a lot of document exchange,  
 8 interrogatories, which are questions from each side that  
 9 we have to respond to, and we have been going through  
 10 depositions.

11 So various people have been deposed. I've

12 been one of them. Brian's on -- online to be deposed.  
 13 So there's been a lot of activity that way.  
 14 I don't think trial dates -- next court  
 15 dates, they're not scheduled until spring of next year.  
 16 So late winter, early spring I think is the timing.  
 17 So there's a lot of paper and these kinds  
 18 of discovery activities going on now.  
 19 FACILITATOR KERN: Is the thinking that  
 20 there could be some kind of resolution before -- while  
 21 there's still an insurance policy in effect?  
 22 I mean, I know it has to do with the  
 23 insurance policy, but these things are going on for years  
 24 and then the insurance policy expires and then --  
 25 MS. FANELLI: I don't think there's any

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1 expectation that it will string out that late.  
 2 FACILITATOR KERN: Oh, that's interesting.  
 3 MR. O'HARA: The remediation plan that you  
 4 put into place, does it preclude any more invasive  
 5 problems from the existing Caltrans situation or are you  
 6 going to be taking your remediation action, but unless  
 7 the Caltrans dispute is resolved, do you stand to -- to  
 8 get repetitive problems with -- with contamination?  
 9 MS. FANELLI: So I think the question's  
 10 really how important is correcting storm water runoff  
 11 issues --

12 MR. O'HARA: Yes.  
 13 MS. FANELLI: -- to the remediation.  
 14 I think they are important, so we would  
 15 want some resolution on storm water as part of whatever  
 16 we did.

17 The loading, I don't know if anybody's  
 18 actually looked at historical contaminants running off  
 19 the highway versus what we expect today, but nobody  
 20 thinks that what's happening today is the best practice  
 21 any more than it should be modified.

22 So I -- it's an interesting question. I  
 23 don't know how it will play out, but I'd imagine we'd  
 24 want resolution on that, the storm water runoff on the  
 25 sediments and on the pipeline all at the same time.

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1 That's the goal.  
 2 FACILITATOR KERN: One thing that we have  
 3 discussed over the years is not necessarily intermittent  
 4 runoff, but the -- the possibility of a spill from some  
 5 sort of crash that would flow some sort of bad stuff into  
 6 the lake. That would be a reason to have some fix.

7 MS. FANELLI: Yes.  
 8 FACILITATOR KERN: All right. Well, next  
 9 year, we might have a possible resolution. That's good  
 10 news.

11 Any other new business?  
 12 Public comment from the vast throngs.  
 13 So action items, seems like the big thing  
 14 that we're reviewing is the progress on the fill sites,  
 15 how things are going.  
 16 So I think that that will continue to be on  
 17 the -- on the list and kind of finishing off the top of  
 18 landfill 10 before the winter.

19 I think those are the big items, and then  
 20 that will be sort of the end of August. We might check  
 21 in with you about September RAPs or something.

22 MS. FANELLI: Yeah. I think you'll

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23 definitely start seeing activity on E and Mountain Lake  
24 and also on Baker Beach 1A, and we're actually moving  
25 ahead on those, as well.

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1 So I would imagine you're going to be  
2 getting some information, reports on all of those. Fall  
3 will have a lot of new stuff --

4 FACILITATOR KERN: Okay.

5 MS. FANELLI: -- being issued.

6 MS. MONAGHAN: So in the September  
7 meeting, can we talk about landfill E sampling results?

8 MS. FANELLI: I think so.

9 MS. MONAGHAN: Okay.

10 FACILITATOR KERN: I'll make a note of  
11 that.

12 MS. FANELLI: There's the sampling plan  
13 that you all reviewed last time in two phases. I think  
14 they're getting ready to go out again and do the  
15 perimeter work.

16 I know there's a work plan on my desk that  
17 I won't review, but Genevieve will, and when we're  
18 satisfied, they'll go out and do that work.

19 MS. MONAGHAN: I think they did that  
20 before we started using that site as --

21 MS. FANELLI: We were going to and we  
22 couldn't because of bird nesting. They are going to go  
23 out now with arrangements with EBI, the contractor to do  
24 some selected stuff on the edges, but our little  
25 window -- we missed our window because of the bird

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1 nesting.

2 There will likely be some tree removals.  
3 That's the other thing that we're looking at, and I can  
4 give you an update in September.

5 Depending on where they find the edges,  
6 we'll be looking at what we've always done, removing some  
7 additional trees in advance of the season.

8 Obviously trying to keep it to a minimum,  
9 and I will see where that ends up.

10 FACILITATOR KERN: Any other items tonight  
11 for the good of the order?

12 MS. FANELLI: On your planning meeting, I  
13 actually may not be available on the 24th. That is  
14 actually another deposition day for me, so I may not be  
15 back. I don't know how long that day will go or where  
16 it's even occurring.

17 MR. YOUNGKIN: Just another field trip  
18 that day?

19 MS. MONAGHAN: Yeah.

20 MR. YOUNGKIN: That would make sense.

21 MS. FANELLI: Okay. Appreciate that.

22 FACILITATOR KERN: I guess I'd just like  
23 to close tonight by saying thanks to everyone for coming  
24 out during the summer when it's not as thoroughly  
25 attended, and I actually individually welcomed everyone

0032

1 that was here at the start of the meeting, so I want to  
2 individually welcome Mark and Julian and Ed.

3 Thank you very much for being here tonight  
4 because it's important that we keep -- keep up the  
5 momentum and see all these projects through. So thanks  
6 very much for coming out.

7 And with that, meeting adjourned.

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STATE OF CALIFORNIA            )  
COUNTY OF SAN FRANCISCO        )

I, the undersigned, hereby certify that the discussion in the foregoing meeting was taken at the time and place therein stated; that the foregoing is a full, true and complete record of said matter.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing meeting and caption named, or in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have  
hereunto set my hand this  
2010.---day of -----,

-----  
Mark I. Brickman CSR 5527

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, SEPTEMBER 14, 2010

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR

License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Eileen Fanelli

Brian Ullensvang

Terri Thomas

Agnes Farres

Jan Blum

Sam Berman

Sara Segal

Barbara Newton

Gloria Gee

Sam Berman

Jan Monaghan

Julian Hultgren

John Budroe

Edward Callanan

Toni Kramer

Jim Ketcham

Special Presenters

Chris Hunt

John Fortuna

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on September 14, 2010, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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## AGENDA

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3	1) Welcome and Introductions - Doug Kern:	4
4	2) Agenda Discussion and Approval:	4
5	3) Announcements - None	
6	4) Committee Business & Report - Mark Youngkin	5
7	5) Discussions & Presentations:	
8	A. Quarterly Status Report - Eileen Fanelli	6
9	B. Landfill E Sampling Plan	49
10	6) Regulatory Agency Status Updates/Inputs:	
11	Denise Tsuji, DTSC - Not present	
12	Agnes Farres, CRWQCB	93
13	7) New Business - None	
14	8) Public Commment - None	
15	9) Review of Action Items and Agenda Items	94
16	10)Adjournment	95

1                   FACILITATOR KERN:    Good evening, everyone.  
2    I wish we could start a little earlier.  We probably will  
3    have people come in.

4                   I'd like to welcome everyone to tonight's  
5    Presidio Restoration Advisory Board meeting.  Welcome to  
6    the Presidio Trust and their representatives, National  
7    Park Service, the Water Board.

8                   I'm not seeing someone from the DTSC, but  
9    perhaps they will show up later.

10                  I'd like to welcome everyone, all the  
11   community members here tonight and any members of the  
12   public.  Not seeing any yet, but welcome to everyone for  
13   coming out, starting up kind of the fall season, back to  
14   school, back home from all the wonderful vacations people  
15   have hopefully taken.

16                  Does everyone have an agenda tonight?  Any  
17   additions or changes?

18                  Jan, please.

19                  MS. BLUM:    Because it's your birthday  
20   coming up, I brought a couple cakes and I'm hoping that  
21   we can take a break in the program and have a piece of  
22   cake to celebrate one more year under the belt.

23                  FACILITATOR KERN:   I'll have to check in  
24   with everyone about whether we should take a break on  
25   account of my birthday, but --

1 MS. BLUM: Well, just a few minutes.

2 MS. NEWTON: What day is your birthday,  
3 Doug?

4 FACILITATOR KERN: It's this Friday, the  
5 17th. Thank you.

6 MS. BLUM: That's what Facebook friends  
7 are all about.

8 FACILITATOR KERN: Perhaps, Eileen, you  
9 may already have this in your other reports, but could  
10 you give some kind of an update on the landfills  
11 remediation that we have going?

12 MS. FANELLI: Sure.

13 FACILITATOR KERN: That will be great.

14 MS. FANELLI: We got lots of photos for  
15 everybody tonight.

16 FACILITATOR KERN: I'll just kind of note  
17 that in under item 5.

18 Any announcements?

19 Committee business. Mark.

20 MR. YOUNGKIN: Well, we had our field trip  
21 last month, I believe. We took in a site inspection of  
22 landfill 2 and fillsite 1 and we checked the progress,  
23 and we will see pictures of that tonight.

24 That seems like we should do the same thing  
25 this month, I guess. Hoping for the finish of the

1 excavation.

2 So I guess I would propose doing another  
3 field trip at the committee meeting this month if that's  
4 okay with everybody.

5 FACILITATOR KERN: Sounds good. Any  
6 objections?

7 Very good. Moving on to item 5, then. The  
8 quarterly status report or your landfill report, however  
9 you would like to proceed on that.

10 MS. FANELLI: I'll start with the  
11 quarterly report, and I will have Chris Hunt, lead  
12 engineer and the project manager John Fortuna, also an  
13 engineer, and they will go through the actual landfill E  
14 information to date if that works for everybody.

15 So our quarterly update. I'll give you a  
16 sense of the milestones, where we are in terms of  
17 schedule and budget performance, some photos of where we  
18 are and talk a little bit about next quarter's  
19 activities.

20 I did send out I think a week or so later  
21 than I normally like to the quarterly report and copied  
22 everybody on the RAB. So hopefully you will have gotten  
23 a copy of it.

24 We've actually had quite a busy quarter,  
25 and I think we've reached several milestones.

We certified or completed repairs on the landfill 10 slope and it was substantially planted by the Park Service.

We did receive approval of the RAP5A for fillsite 1, 2 and El Polin Spring and we initiated construction the last week of June, I believe.

We have issued a data report for the Baker Beach 1A and we implemented some additional phases or elements of the work plan for landfill E which will be discussed in detail shortly.

Under the petroleum work, we had a work plan out and approved for final for tank 13.1. We've implemented that plan. We are now actually completing the report which will be a report of findings and request for closure on that tank.

We completed the soil removal that we did on the quick at building 207 site, 207 remedial unit, and I showed you some photographs of that last time, but we finalized and buttoned up that area.

The Water Board has issued several closures for additional tank sites that came in last quarter, which is always great to get, and we did submit a groundwater monitoring report and closure request for building 1065 area, which is currently under review.

And under lead-based paint, we submitted

1 and received several no further action approvals for  
2 buildings, primarily residential units.

3 In terms of cost, this is where we stand.  
4 We actually received additional claim moneys for unknown  
5 contamination. That's probably the greatest change in  
6 this table.

7 I think this normally showed some on the  
8 order of 5.4 million dollars. We received to date a  
9 little over seven million dollars now in claims against  
10 the Army reserve unknown contamination. So it changes  
11 our overall budgeting.

12 Our current estimate at cost of completion,  
13 I'm going to get into that. You saw in the quarterly  
14 report was listed at the same number.

15 We have done in third quarter some  
16 estimates on other sites, additional site changes, and so  
17 that number will change in fourth quarter, and I'll get  
18 to that in a moment.

19 MR. BERMAN: Could you just go back?

20 MS. FANELLI: Yeah.

21 MR. BERMAN: So the last number there is  
22 the difference between the interest, the claims received,  
23 the offsets and the total estimated cost for completion?

24 MS. FANELLI: Right. So what that number  
25 is is the costs that are not covered either by Army

1 advance or by offsets, where there's interest claims or  
2 trust funded dollars.

3 That amount we anticipate covering under  
4 insurance claims is either the REEL, the RSL or  
5 additional Army claims

6 This is the breakout in the detail. Again,  
7 the big detail is the change in the reimbursed costs. We  
8 did have some claims settled and cash come in through the  
9 door, which is nice.

10 I think what's interesting to note is we  
11 have spent at this point in time a hundred million  
12 dollars as of third quarter on the program.

13 Of that, about 74 million are the allowable  
14 costs, the RSL policy. This is a total number, though,  
15 so it includes the unknown contamination. So you can't  
16 compare it directly.

17 MR. BERMAN: Does the hundred million  
18 spent include the administrative costs with the in-house  
19 administration?

20 MS. FANELLI: Yes. All costs.

21 MR. BERMAN: Okay.

22 MS. FANELLI: Not surprisingly, the  
23 projects where we spent the most money last quarter were  
24 landfill 10 where we're finishing up that work.

25 Fillsite 1, landfill 2, which is under

1 construction, we've actually spent a significant amount  
2 more than what's shown on there, but this is just through  
3 third quarter.

4 Landfill E was the other site where we  
5 spent dollars, because we're doing assessment activities  
6 moving forward.

7 Building 207/231, that reflects the  
8 excavation work we did, and the quarterly invoices for  
9 DTSC oversight.

10 FACILITATOR KERN: Do you have an estimate  
11 on fillsite 1, landfill 2 ballpark on what might have  
12 accumulated over this quarter so far?

13 MS. FANELLI: This quarter, we spent on  
14 fillsite 1 -- oh, the new quarter?

15 FACILITATOR KERN: The new quarter.

16 MS. FANELLI: Well, we issued a contract  
17 in June to Evans Brothers, EBI for 8.2 million dollars.  
18 And so we have probably spent a significant amount of  
19 that through this quarter.

20 The quarter ends September 30th. That's  
21 when they're close to being completed with construction.  
22 So I think there's going to be a big jump in dollars  
23 spent in the fourth quarter.

24 Now there's always a lag in their invoices,  
25 so we'll probably show it as an accrued cost, but the



1 cash won't actually be out the door likely until October/  
2 November time frame until all of the invoices cycle  
3 through.

4 MR. BERMAN: Eileen, remind me. The DTSC  
5 oversight is a completely allowed cost?

6 MS. FANELLI: That is, as is Water Board.

7 MR. BERMAN: Yeah.

8 MS. BLUM: Can you tell us what the  
9 initial estimates were on landfill 1 and 2 to remake?

10 MS. FANELLI: Fillsite 1, landfill 2?  
11 Initial meaning?

12 MS. BLUM: If you just compare them to the  
13 last slide that you showed.

14 MS. NEWTON: The original budget, you  
15 mean?

16 MS. BLUM: Still three months behind. If  
17 you could, yeah, just tell us what the original estimate  
18 was on fillsite 1, landfill 2.

19 MS. FANELLI: And the original estimate  
20 from 1999 or from -- the budgets have been updated  
21 systemically. The last time we did an update, they  
22 currently sit at 6.8, 6.5 that you say.

23 MS. BLUM: That's how much is being  
24 invoiced. It doesn't really forecast how much it is to  
25 remediate?

1 MS. FANELLI: I'm sorry. The budgets are  
2 the actual budgets. The current period costs are the  
3 actual cash and the cumulative to date is actual cash.

4 So the last column there is the actual  
5 budget that we've established.

6 MS. BLUM: Two years ago, we said landfill  
7 2 is going to cost 6.5.

8 MS. FANELLI: It may not have been two  
9 years ago. There -- when I first started, there was a  
10 budget, and I'll be honest. I can't remember what it  
11 was.

12 In 2007, there was a budget. It was less  
13 6.7 million, for example, for landfill 2, and I don't  
14 remember what it was.

15 We did a systematic update on all budgets  
16 fourth quarter 2008, and that's when it jumped to this  
17 number, and that was based on engineering reviews, and I  
18 think before, it may have been at four million, but I'd  
19 have to go back to those earlier quarterly reports to  
20 determine what it was.

21 MS. BLUM: I think what I'm going through  
22 is landfill E is so much larger than any other landfill  
23 that if I look at fillsite 1 and landfill 2 and then  
24 landfill E -- I mean, landfill E -- oh, I'm sorry.

25 MS. FANELLI: I changed the slides.

1       You're looking for the budget.

2                   MS. BLUM:    I knew I saw landfill E.

3                   MS. FANELLI:   Yeah.

4                   MS. BLUM:    When I look at fillsite 1,  
5       landfill 2 and I look at landfill E, landfill E seems to  
6       be seriously underestimated.

7                   I guess that's the point I'm trying to  
8       make.  If I recall, it's like 110,000 cubic yards.

9                   MS. FANELLI:   It depends what the  
10       budget -- the scope of work the budget's reflecting.  
11       This budget was updated for landfill E in 2008.

12                   I am anticipating that we'll have an  
13       updated budget for this site within the next several  
14       months as we're completing the report of findings for  
15       landfill E and proposed what the remedial solution is.

16                   This solution budget reflects the capping  
17       solution that was identified in earlier feasibility study  
18       documents and does not reflect the enclosure.

19                   The fillsite 1, landfill 2 reflects the  
20       excavation and the enclosure costs, so that might account  
21       for the relative differences.  The scope is different for  
22       the two sites.

23                   MR. BERMAN:   Very much, because the  
24       original estimate that someone made clean closure for  
25       landfill E was about fifteen million, I think.

1 MS. FANELLI: I think our -- my last  
2 estimate I saw was more like twenty million for landfill  
3 E.

4 MR. KETCHAM: Eileen, what's your  
5 confidence level of that 26 million dollars that's to be  
6 covered by future insurance --

7 MS. FANELLI: Mm-hmm.

8 MR. KETCHAM: -- claims, that that money  
9 will actually be available to cover those future costs?

10 MS. FANELLI: It's actually pretty high.  
11 I do analysis all the time and I'm asked quite often by  
12 our financial department for what the liability is  
13 looking like, and I don't have this -- this detail here,  
14 but the report that I issued to you kind of breaks out  
15 all the costs by known and unknown sites, and under known  
16 sites, the cost also that -- our policies are fairly  
17 clear for known sites and for the scope of work, and we  
18 meet with our insurance representatives on a quarterly  
19 basis and we review the costs --

20 MR. KETCHAM: Mm-hmm.

21 MS. FANELLI: -- and they are privy to our  
22 future estimates, as well.

23 And so I feel that issues -- there's a  
24 venue or a mechanism to identify issues pretty quickly.

25 MR. KETCHAM: And right now, it seems like

1 the money will be there for the work that needs to be  
2 done.

3 MS. FANELLI: That's how the Trust feels  
4 right now, yes, and we have ongoing communications with  
5 Zurich, the insurance carrier, to make sure that we are  
6 in agreement in how that's going to happen.

7 MR. KETCHAM: Okay.

8 MS. FANELLI: The way our policies are  
9 established, and when we hit what is 85 million in  
10 allowable costs -- and we're very close to that.

11 We anticipate getting there by the end of  
12 the calendar year. They have a right to work more  
13 closely with the Trust than they do even now in terms of  
14 analyzing and anticipating those costs.

15 We already meet quarterly with them and are  
16 reviewed. They have indicated to us in meetings that  
17 they don't think they need to work even more closely with  
18 us than how we are now, and depending on how -- as you  
19 know, we're in discussions with them on building 937 and  
20 Mountain Lake, whether that is an enumerated or known  
21 site covered in the RSL policy or known site under in the  
22 other policy, and depending on where those ultimately  
23 fall out, there's a bigger number under the RSL that they  
24 will be liable for versus the REEL.

25 Under both scenarios, however, we

1 anticipate that we would be giving them a quarterly  
2 update. They would be funding that work and there will  
3 be some reconciliation.

4 Like any insurance company now, my car's  
5 been smashed. Here's the estimate of what it's going to  
6 cost. You're going to take it to a shop and they're  
7 going to pay for that.

8 Whether it's higher or lower, they absorb  
9 that risk. So that's where we think where the discussion  
10 will likely go.

11 MR. BERMAN: And it just puzzles me why  
12 one would consider Mountain Lake where nobody knew about  
13 the lead that was there until it was later discovered,  
14 that that is considered potentially as an enumerated  
15 site.

16 I mean, it doesn't make any sense.

17 MS. FANELLI: Well, that's the Trust  
18 position right now in our current legal proceedings with  
19 Zurich, and we'll see how that works itself out.

20 MS. BLUM: When DTSC reviews the paperwork  
21 for remedial actions on a certain site -- for instance,  
22 in 207/231, which is very close to the water line and  
23 we're expecting fifty meters of sea rise in the next  
24 fifty years, do they take into effect the future  
25 requirements to -- for capping here, future requirements

1 to prevent those pollutants from going into the marsh and  
2 into the bay when they sign off on your Remedial Action  
3 Plan?

4 MS. FANELLI: On the cap? I believe they  
5 do, but I'll let Agnes respond.

6 MS. FARRES: That's actually a petroleum  
7 site, so in that area of RAP, it's a cap corrective  
8 action plan.

9 So I don't know --

10 MS. BLUM: Do you take into account  
11 climate change and sea rise?

12 MS. FARRES: Yes.

13 MS. BLUM: So anything we would do at 207  
14 and 231 the Trust won't have to do again fifty years from  
15 now to prevent all that ---

16 MS. FARRES: Right.

17 MS. BLUM: -- going into the -- thank you.

18 MS. FANELLI: Okay. These are the  
19 proposed budget adjustments, and these are the sites  
20 where we are supposed to change numbers.

21 Graded area 9, we're proposing to lower the  
22 budget for that one. 8 is about a wash. It's a few  
23 tweaks. It's based almost on actuals because we're  
24 almost completed with the work there.

25 Landfill 10, I indicated before that we

1     were going to increase that by about a million dollars,  
2     and we believe we are. There's still a fair amount of  
3     contingency in that. We're going to carry that budget  
4     forward so we accurately reflect that liability in our  
5     books.

6                 Fillsite 1 and landfill 2, these numbers  
7     are actually not right on this slide. The magnitude is  
8     about right in total, but the truth is fillsite 1 is not  
9     going to cost anywhere near more than what we budgeted.

10                That site's almost done in the sense of  
11    excavation. The waste was all classified as Class 2, and  
12    we excavated approximately what we estimated we would, so  
13    there wasn't a lot of need for change in that site.

14                The site where the budget will go up is in  
15    landfill 2. The reason the budget will go up for  
16    landfill 2 is twofold. One, we estimated half of the  
17    material would be Class 2, half would be Class 1, and of  
18    that, half of Class 1 -- quarter of the total would be  
19    RCRA. So we thought that's how it would fall out.

20                What indeed happened is none of it  
21    classified as RCRA, but it all classified as Class 1. So  
22    we're going to see increased cost for disposal as Class 1  
23    material.

24                We did have some additional fill in  
25    landfill 2. Very typical I guess of what we've seen in



1 other clean closure sites.

2 We found the area that we think might be  
3 the tunnel that was the old water conveyance tunnel, and  
4 that area was excavated previously and a little bit  
5 lower, and we found waste material in there. So we have  
6 to clean that out.

7 So I think our costs there will go up  
8 primarily because of the classification of the waste and  
9 slightly larger quantities.

10 We have UXO dollars there. That's a  
11 holding bin for moneys that we spend to respond or  
12 address unexploded ordinance.

13 That money is all recoverable from the  
14 Army. This is the dollars that we have spent to have UXO  
15 oversight at the fillsite 2 excavation.

16 So it's all recoverable moneys, but we  
17 carry it there until it's spent and then we reclassify it  
18 for reporting purposes back to the site that it was spent  
19 on.

20 And I have no idea what the oil pit is.  
21 That is a closed project and I guess what we're doing is  
22 we found something in the system that wasn't in the  
23 general ledger correctly and it's just been reverted back  
24 to get the final to reflect actual. So those are the  
25 budget changes that are going forward.

1                   And that's all I have on finance, so the  
2   next set are pictures of where we are, but if there's any  
3   questions on finance, I'd be happy to --

4                   MS. NEWTON:   So fillsite 1 is still going  
5   to be coming in around the current budget of six million?

6                   MS. FANELLI:   I think a little bit, maybe  
7   six and a half, and 2 will actually be closer up at seven  
8   something.

9                   In the aggregate, those numbers are right.  
10   They're just not reflected correctly here.

11                   Let me do schedule. I'm sorry. 10  
12   schedule. So RAP4, PacStates is completing the site work  
13   at 9 and 10. And we do anticipate that the remediation  
14   elements will be completed by the end of the month.

15                   I think there are still planning elements  
16   that are not part of the remediation program that will be  
17   ongoing.

18                   On the CHP range, which is part of RAP4,  
19   EKI is leading the completion of that and has been  
20   working with the Park Service.

21                   So we do anticipate constructing next  
22   spring on that site, but we have it scheduled and the  
23   Park Service will be working on it.

24                   Rap5A, we actually are anticipating  
25   finishing all waste removal at fillsite 1 tomorrow. That

1 includes an overexcavation, and we're hoping, then, the  
2 next week we will be doing our final grading and  
3 buttoning that site up. So it will be winterized by the  
4 end of the calendar month.

5 On fillsite -- landfill 2, all of the -- we  
6 have done some confirmation sampling in the upper  
7 reaches. We are still removing waste from the lower  
8 portions.

9 We anticipate all of that waste also being  
10 out tomorrow, and we anticipate doing additional  
11 confirmation sampling following that.

12 We are looking at our schedule for landfill  
13 2. We may make a decision depending on weather forecasts  
14 and the results of the confirmation sampling to extend  
15 our construction a couple of weeks into October, but  
16 we're not sure at this point, and we would do that  
17 obviously in consultation with DTSC and the Water Board  
18 from an erosion control perspective and then scheduling  
19 for it.

20 5B, which is Baker Beach 1A, that draft  
21 F/S, and I said, that RAP is under preparation. But in  
22 essence, we're at the point where alternatives are being  
23 brainstormed with the regulatory agencies and the Park  
24 Service. So that's moving ahead on schedule.

25 Landfill E, we're going to get updates on

1 the data, but the data are in and we are now working on a  
2 feasibility study update with the data report and then  
3 getting that issued for consumption and review by DTSC,  
4 and then the RAP would follow after that.

5 We are still working towards the goal of  
6 construction next spring on landfill E.

7 Baker Beach 2, SCS is preparing a data gaps  
8 analysis and is on schedule and will be preparing a work  
9 plan based on that data gap analysis before we move  
10 forward with any Remedial Action Plan documents.

11 Merchant Road is an unknown site. I think  
12 we discussed last month that DTSC has asked for further  
13 assessment of that site.

14 Because it's an unknown site, the Trust has  
15 turned to the Army. The Army is actively involved in the  
16 discussions with DTSC and the Park Service and is using  
17 the Trust as their implementation arm right now for those  
18 activities. So that is -- that is ongoing.

19 6B, Battery Wagner and fillsite 6B is a  
20 little bit behind schedule. Geometrix AMEC is contracted  
21 to do a data gaps analysis and then to update any field  
22 samplings to move forward in order to complete the  
23 feasibility study and do the RAP.

24 And the RAP for Mountain Lake, also a  
25 little bit behind schedule, but URS has been evaluating

1     engineering alternatives and that will be issued, I  
2     believe, as an alternatives report that reflects the  
3     remedy that's in the 2003 feasibility study, which is  
4     removal of the contaminated sediment, and once we have  
5     that feasibility report out and work through any issues  
6     in terms of conceptual design that would affect the CEQA  
7     document, then we anticipate getting a RAP out on that,  
8     as well.

9             Our goal is to have that done sometime early  
10    in 2011 in advance of any court proceedings on either of  
11    the litigation cases surrounding Mountain Lake.

12            And that's the basic schedule.

13            FACILITATOR KERN:    Let me -- kind of going  
14    back up the list to fillsite 1, landfill 2, I wanted to  
15    compliment the Trust on all the excavation going on at  
16    the site.

17            I mean, after having shepherded that for  
18    fifteen plus years, it's really something to see all that  
19    waste being removed.

20            Could you describe the process with the  
21    regulators how it is closing, you know, getting their  
22    approval and all the confirmation and -- are people  
23    walking the site, for example?  How is all that working?

24            MS. FANELLI:    Sure.  Maybe when we get to  
25    the photographs.

1 FACILITATOR KERN: Sure.

2 MS. FANELLI: I have a couple photographs  
3 of it.

4 FACILITATOR KERN: On the -- on the  
5 Merchant Road, when you mentioned that the Army is  
6 involved and the Trust is acting as anything, I wasn't  
7 exactly sure what you meant by that.

8 Does that mean that the Army is taking in  
9 your information and asking you to do the remediation or  
10 what is that?

11 MS. FANELLI: The MOA that the Trust has  
12 signed with the Army allows the Army to -- if there's  
13 unknown contamination and accepted as unknown  
14 contamination, they have the right to step in and clean  
15 it up.

16 In this case, the Army has recognized that  
17 this is not a normal site, and it's not listed in our  
18 agreement with them. The MOA as a known site, and so  
19 they are actively involved in conversations with DTSC on  
20 the scope of work that needs to be done, but they have  
21 agreed that the most expedited way to do that work is to  
22 reimburse the Trust to implement it.

23 So once the scope of work is agreed to,  
24 then the Trust goes out and contracts and implements it.

25 So it's -- in some ways, they're driving

1     it. I don't do work that they haven't authorized, until  
2     that discussion has played itself out.

3                 FACILITATOR KERN: Will there be a way for  
4     us to interact with that process? Let's say the Army  
5     says, "We don't want to do anything."

6                 I'm not suggesting that that's what they're  
7     going to say, and we say, "Look, the data suggests we  
8     should do something." How could that unfold?

9                 MS. FANELLI: Brian's actually more active  
10    in the day-to-day conversations with that, but my  
11    understanding is -- Brian, correct me -- that there is a  
12    schedule that includes completion of decision documents  
13    that will be issued for public comment, and there at some  
14    point will be data reports that are issued to the public,  
15    and if a feasibility study or some decision document is  
16    developed following that --

17                FACILITATOR KERN: Okay.

18                MS. FANELLI: -- it would follow a normal  
19    process.

20                MR. ULLENSVANG: Yeah. There is a  
21    schedule and decision document.

22                FACILITATOR KERN: Are either of the  
23    agencies concerned at all with the Army's cooperation or  
24    participation so far?

25                MR. ULLENSVANG: They are cooperating.

1 Right now there's a lot of discussion about whether the  
2 contaminant levels pose a risk. That's what the  
3 discussion is.

4 FACILITATOR KERN: Okay.

5 MS. FANELLI: They've been responsive to  
6 the Trust. If we need something, they've worked well  
7 with us.

8 FACILITATOR KERN: It's -- we had a long  
9 history with the Army, so that's the source of my  
10 questions.

11 MS. FANELLI: Sure.

12 MR. BERMAN: Small question. At one time  
13 there was a bit of uncertainty as to the geology of E,  
14 and I wonder if the sampling that you're doing now is  
15 addressing that or is that knowledge sufficiently good so  
16 that it's not any more of a question?

17 MS. FANELLI: I'm not sure I understand  
18 when you said "geology."

19 Do you mean the material in the landfill or  
20 the underlying bedrock?

21 MR. BERMAN: Yes. The shape and the  
22 layering of the material and the actual boundaries were  
23 still under question, and especially at the -- I guess  
24 the north end.

25 MS. FANELLI: I'm going to defer that



1 question to these guys, because they did do some  
2 perimeter boundary work, if that's okay.

3 You asked me a question yesterday about  
4 landfill 8.

5 MS. CHEEVER: Can I ask it now?

6 MS. FANELLI: Yes.

7 MS. CHEEVER: I've been concerned. I walk  
8 along landfill E, and it seems like it's only one-sixth  
9 planted, and how come? Is this a problem when the rains  
10 come?

11 MS. FANELLI: I actually talked to Lew  
12 Stringer this morning. I forwarded him your question,  
13 and Terri's here so she can elaborate.

14 But indeed the landfill is planted with  
15 many of the plants that are stored are now -- are  
16 designated for some other sites, the Nike swale.

17 Landfill 8 is planted as they plant except  
18 for some grasses that are transplants, and the timing for  
19 that, according to Lew, is November, and so that is when  
20 that activity will actively occur.

21 MS. CHEEVER: What sort of transplant?  
22 Grass?

23 MS. FANELLI: Grasses.

24 Can you add detail?

25 MS. THOMAS: The main revegetation of that

1 site is annual seed. That will happen right before the  
2 rains, and that's usually the first successional of those  
3 dunes or the dunes annuals that will come in. It could  
4 be wildflowers on display.

5 MS. CHEEVER: What?

6 MS. THOMAS: Wildflowers. A large mix of  
7 annual seeds.

8 MS. CHEEVER: Right before the rains.  
9 When is that?

10 MS. THOMAS: November/December.

11 MS. FANELLI: You know, we think that the  
12 site is secure. I will likely in consultation with Lew  
13 and Terri do another walk-through assessment just to make  
14 sure everybody's comfortable with the erosion control  
15 measures that are established, and we will implement  
16 anything once we've done that review that we feel needs  
17 to happen.

18 MS. BLUM: I've heard that the protective  
19 fencing has all been taken down in that area.

20 How is it going to be protected?

21 MS. FANELLI: I turn to Terri again.

22 MS. THOMAS: There's a lot of things that  
23 are happening in that area. You know, a trail will  
24 hopefully be put in and the restoration will begin.

25 So there will be protective fencing around

1 the restoration, but it most likely will be temporary at  
2 first, and we're actually hoping this year to put a  
3 boardwalk, kind of like at Lobos Dunes, over the -- I  
4 stand -- back up.

5 Over the golfcourse end, like from where  
6 there's going to be an overview of the golfcourse end.  
7 So it won't need fencing, it will be kind of like Lobos  
8 Dunes where the boardwalk itself will keep people on  
9 task, and if it doesn't, we'll put up fencing. But there  
10 will be temporarily fencing.

11 MS. BLUM: Have there been any sightings  
12 of four legged visitors?

13 MS. THOMAS: Yes, and we're trying to put  
14 out signs and how to deal with that whole problem.  
15 Thanks for bringing that up.

16 MS. BLUM: Are you considering putting the  
17 fence go up again?

18 MS. THOMAS: The question is what kind of  
19 fence. Do we want to put up the whole dog fence again  
20 when we think that we're going to be doing something  
21 different in five months?

22 That's the kind of question, or do we want  
23 to encourage people to stay on the new trail?

24 The problem is everyone's used to the old  
25 trail, and we do have sense at that end of the trail

1       saying that's not the trail. But I definitely hear what  
2       you're saying and so does Lew, and we were together.

3               MS. BLUM:    It's an expensive restoration  
4       and you want to protect it, and it's a habitat area.

5               MS. THOMAS:   And I will follow up on that  
6       for you.

7               MS. BLUM:    Thank you.

8               MS. FANELLI:   Okay. I have a few photos  
9       that are kind of fun. This is -- these are all  
10       relatively recent, so you can see that the landfill  
11       parking lot, it's pretty much looking as it will in its  
12       final shape.

13               We're going to still do work in this very  
14       northern end, and that will be the last piece of work  
15       that's done.

16               You can see the trail that's sort of graded  
17       flat area coming out. Since that's our access for our  
18       continued work at the toe, they'll work their way out  
19       from the toe, finish covering this area and then do some  
20       final concrete work associated with the curb and the MUT  
21       trail there.

22               This is the overlook. It's not finished,  
23       but it's close here. You can see the posts for a fence  
24       that will be in front of that, and this area will become  
25       landscaped, and you can see how the overlook -- this is a

1 planning piece, not remediation. It sits down and it  
2 does give a very lovely view of the Lobos Creek Valley.

3 This is it with erosion controls. Some of  
4 the erosion controls in place that are very recent. You  
5 can see on the top we've spread straw beneath our fabric  
6 and those are our wattles. They are on precision grade.

7 I watched them get their levels out to make  
8 sure that they were on track.

9 And then this area will be planted in the  
10 November time frame, as well, to catch the -- catch the  
11 wet season rains.

12 This is our slope, and you can see on this  
13 a little bit of the temporary irrigation lines. I think  
14 the black lines heading down. It's planted.

15 Lew Stringer told me today that the plants  
16 are doing quite well on the slope and he's pleased with  
17 it.

18 That's what he told me, and I can't give  
19 any more details, but -- because I don't know them, but  
20 he didn't indicate to me that there was any real  
21 concerns. So he was pretty pleased.

22 Unless, Terri, you have some more.

23 These are our fellows. This is the  
24 northern portion, and they're doing some adjustments to  
25 the wattles.

1           Again, we're doing final grade checks to  
2   make sure that not only are they on contour, but they're  
3   properly seated in the little trenches that are built.

4           So we've been doing some of that type of  
5   work as we head towards the end of September.

6           That's it for 10.

7           Graded area 9, what you're looking at here  
8   is the new replaced MUT area of Battery Caulfield. We  
9   dug this out to three feet.

10          It was a surgical excavation because  
11   there's an energy electrical line that's buried all over,  
12   meandering throughout that area.

13          So then we backfilled it, and then the MUT  
14   trail will have DG on the surface there and we'll begin  
15   to cover the rest of the area with sand.

16          MS. BLUM:   Just for clarification, MUT is  
17   multi-use trail?

18          MS. FANELLI:   Multi-use trail.

19          MS. BLUM:   Thank you.

20          MS. FANELLI:   I don't like the acronym  
21   because people tend to say mutt trail.

22          This is the top of graded area 9, and what  
23   you can observe is they've placed the material that they  
24   excavated from the edges in the center. They've ripped  
25   it and they're beginning to spread the sand.

1                   And so actually this is one of the first  
2   times you can now begin to see the Baker Beach housing  
3   from Battery Caulfield. That pile is starting to come  
4   down.

5                   That's another example. If you look  
6   closely, you can see that the area's been ripped a little  
7   bit and they're spreading the cleaner sand on top of  
8   that -- of that ripped surface.

9                   MS. CHEEVER: Are you saying, then, that  
10 no more sand will be taken away from graded area 9, and  
11 what's there will be spread out?

12                  MS. FANELLI: Pretty much, yes. There  
13 will be a minimum three foot cover, and then we will --  
14 the rest of the sand will be used to make dunes.

15                  Fillsite 1, landfill 2. This is actually a  
16 picture of the very initial beginnings of excavation at  
17 fillsite 1. So what you see is the excavator, the trucks  
18 queue'd up and the water truck beginning to excavate  
19 material.

20                  This was when we were at our most efficient  
21 at fillsite 1. We actually had two excavators filling  
22 two queues of trucks at a time, and I think our peak  
23 truck traffic was -- the big guys was maybe 135 in one  
24 day, but we've been running anywhere -- depending on what  
25 they're hauling, and if they haven't had any hiccups,

1 eighty to 120 trucks a day continuously for the last 35  
2 days. So it's been quite a hauling operation.

3 FACILITATOR KERN: What's been your level  
4 of, say, complaints about truck traffic?

5 MS. FANELLI: These guys were -- probably  
6 got the most complaints. This was S&S Trucking, and they  
7 were hauling a long distance to Vacaville, and so -- and  
8 they also have some limitations of when they can be on  
9 the road, I believe.

10 So they were getting to the Presidio pretty  
11 early and then having to cool their heels and wait.

12 So most of the complaints were really in  
13 the beginning because they were trying to jockey for  
14 position. We got that worked out pretty quick, and we  
15 actually haven't had any complaints, I don't think, for  
16 the last several weeks, at least none that have come  
17 across my desk.

18 This was when they were almost done. You  
19 can see that they've cut a great big hole, and they're  
20 now running about one truck a day through fillsite 1.

21 When they got here, they began doing work  
22 at landfill 2. This was the initial -- no. I take that  
23 back, yeah. This was the initial construction from the  
24 top.

25 So they started from the top and scraped



1 down, had a big pile, and then were filling trucks when  
2 the excavator and they come in, and that allowed us to do  
3 some early confirmation sampling at the upper reaches.

4 So to talk about a little bit about the  
5 coordination onsite. I know Medi comes to the site once  
6 a week and meets with the field folks, and I don't  
7 actually participate in those meetings, so I can't give  
8 you a firsthand account.

9 When we did our initial confirmation  
10 sampling, MacTech laid out a grid. I believe Medi was  
11 there for the grid and some of the initial sampling, and  
12 then we have completed our data report, sampling report,  
13 sent them to Medi and they are reviewed, and we go  
14 back -- we do our 95 percent UCLs where we have areas  
15 that fail. We go back and overexcavate.

16 On fillsite 1, there was one area, sort of  
17 the deeper area closer to fillsite -- your western area  
18 where we found trees, and I think I mentioned that last  
19 time.

20 The only constituent that we had failure on  
21 for confirmation was DDT, and we believe it was  
22 associated with the trees, and so they've over -- they  
23 are overexcavating that area today and tomorrow.

24 That final material will be out and the  
25 reconfirmation sampling will occur the following day,

1 Thursday.

2 And they are sampling at the surface and  
3 three feet below ground surface. So we are continuing to  
4 do the multiple samplings at fillsite 1.

5 At landfill 2, we've only sampled the upper  
6 portion and not even that completely. That's pretty much  
7 come back clean, but we have more additional samples we  
8 have to take around the per perimeter, and we will have  
9 completed the work here at the toe.

10 This is the final excavation at the toe of  
11 landfill 2 and hopefully we'll be sampling that for the  
12 first time on Thursday.

13 When they got to the toe, they had quite a  
14 challenge. You can see they constructed a road for  
15 themselves there. The trucks had no problems coming  
16 down, but they did have problems going up. The dozer's  
17 job was to push the trucks back up the ramp. That's what  
18 they did.

19 EBI did a very good job. I appreciate the  
20 compliment that you gave EBI. We've been very pleased.  
21 They have been very responsive and quick on their toes.

22 We were able to get materials characterized  
23 so we could direct haul. That's made a huge difference  
24 of the timing of the waste excavation offsite, and  
25 they've been real responsive and they handled things like

1        what that hole was going to look like.

2                    I know at one point the geotechnical  
3        engineer said, "I'm sorry. The slope is cut a little bit  
4        too sharp," and EBI modified it and they met all the  
5        standards while they were doing the excavation.

6                    FACILITATOR KERN:    What's your sense of  
7        the impact to this road, Quarry Road where the white  
8        truck on the top is? Is that going to remain or --

9                    MS. FANELLI:    That pile there that you see  
10       by the excavator, that's basically gone now. That was  
11       waste that has come out.

12                   Quarry, when we do our final grading, we're  
13       going to be narrowing Quarry Trail where you see they all  
14       come together. We're going to be narrowing that slope  
15       and cutting it, and right now Quarry Trail doesn't really  
16       exist further upgradient. It's all been excavated away.

17                   It is there, but we're going to build that  
18       up. You couldn't really walk Quarry Trail today if it  
19       weren't there. We've taken it away upstream above that  
20       white truck.

21                   MR. YOUNGKIN:    From where the white truck  
22       is, there seems to be no waste there.

23                   MS. FANELLI:    That waste is all gone. So  
24       that pile that the excavator's sitting beneath, that was  
25       sort of a temporary road they built with their waste.

1 Most of that's gone now.

2 So I believe their action is to come way  
3 down where they come down now where they have to spring  
4 toward fillsite 1, slowly come back out and they get back  
5 out by coming back around the upper edges of landfill 2.

6 MR. KETCHAM: Eileen, it's such a great  
7 change in elevation in that area now and it's hard to  
8 picture what it's going to look like when it's done.

9 Has anyone ever done a visual that shows  
10 what it's supposed to look like when this whole project's  
11 over?

12 MS. FANELLI: We have some basic mockups  
13 of Photoshopped stuff that was done as part of the RAP,  
14 and we have of course the Auto CAD drawings that could be  
15 viewed in 3-D, but we haven't done artist renderings.

16 I think if you stand by Paul Goode Field  
17 and you look across, it actually does -- maybe because  
18 I'm used to land forms, it gives me a good sense of what  
19 it's going to look like.

20 I think it actually is looking kind of  
21 nice. You can start to get the sense of what the new  
22 repaired stream channel is going to look like, and then  
23 it comes back around.

24 One that's a little bit harder for me is  
25 fillsite 1 because it's kind of a deep hole. That one's

1 going to change radically.

2 Next week we're going to cut that parking  
3 lot down six feet and regrade that material and fill that  
4 hole. So you're going to have a much more gentle bowl at  
5 fillsite 1 area and then the canyon as you come around  
6 the bend.

7 But we have not done an artist rendering.

8 MR. KETCHAM: Is it going to be fairly  
9 flat at the area sort of to the furthest east, and  
10 then --

11 MS. FANELLI: Yes.

12 MR. KETCHAM: -- it will kind of slope  
13 down?

14 MS. FANELLI: Our grading plan is  
15 basically the rough grading for the long-term plan for  
16 the ballfields and parking lot that will be built there.

17 So we're not actually building that, but  
18 we're rough grading to meet their rough grades as well as  
19 the trail.

20 MR. KETCHAM: And then it feels like you  
21 get to that end of the flat area, and right now it feels  
22 like it drops off really rapidly.

23 MS. FANELLI: It won't drop off quite as  
24 rapidly, but it will still be -- it will be a two to one  
25 slope in the bowl.

1                   So it won't be as steep as it is today, but  
2     it will still be flat with a dropoff.

3                   MR. KETCHAM:    Yeah.

4                   FACILITATOR KERN:   Following Jim's  
5     question about the shape, where you found the tunnel that  
6     was -- what's the intent there?  Will it be to fill it  
7     back in?

8                   MS. FANELLI:    It will be filled back in.  
9     We are doing a half a day's worth of excavation work for  
10    the archeologists to let them further assess that asset,  
11    and they'll be doing that work I think on Thursday or  
12    Friday of this week.

13                   So the archeologists will be excavating for  
14    their benefit in that area.  But it will be filled back  
15    in.

16                   MR. BERMAN:    A quick question about 10.

17                   MS. FANELLI:    Yeah.

18                   MR. BERMAN:    Is there any lighting to be  
19    provided for the overlook?

20                   MS. FANELLI:    I don't know.  I don't  
21    believe so.  If there is lighting, it's very low safety  
22    lights somewhere around there, but I don't think there is  
23    any lighting.

24                   MS. THOMAS:    No.  That's actually  
25    considered a wildlife area.  So there's generally no

1       lighting in that area.

2                   MS. CHEEVER:    But there is lighting in the  
3       parking lot right behind it.

4                   MS. THOMAS:    Right now, actually the Trust  
5       is going through a lighting planning, kind of an overall  
6       lighting planning where they're looking for different  
7       lighting zones for different lighting.

8                   We'll know a whole lot more in a year, six  
9       months or so.

10                  The lighting plan for Public Health  
11       Hospital is actually very dark night sky and wildlife  
12       sensitive. It's very sensitive to that. I think you'll  
13       find that.

14                  MR. BERMAN:    Who's doing the lighting  
15       evaluation?

16                  MS. THOMAS:    David. He's the same one who  
17       did the Eastport Baker lighting for the Park Service.  
18       Melnick. David -- no, no, no. David -- I can't  
19       remember. If it comes to me, I'll jump in. He's very  
20       good. The Cavallo Points Lighting.

21                  MS. FANELLI:   The other projects where  
22       we've made a lot of progress on and doesn't get a lot of  
23       fanfare is lead-based paint. We have actually done  
24       remediation in August and September in the Portola  
25       neighborhood and Infantry Terrace, and these are just a

1       few shots of the Infantry Terrace.

2                   This one just shows tight shots of the  
3       working conditions. Here's a good example of what we do  
4       is fairly surgical removal of lead paint in soil right  
5       around the drip lines, and this work is a six-week  
6       project in Infantry Terrace.

7                   We'll be leaving the sites covered and  
8       mulched, and the Trust is going to be doing an upgrade to  
9       the landscape in this neighborhood beginning next spring.

10                  You can see that we tape all the windows  
11       before we begin our work. The work's being done by ERRG.  
12       They've done a very good job for us.

13                  You can see them excavating there. A lot  
14       of times it's a lot of hand work because there's pipes  
15       and utilities in the way.

16                  Her's a tree that had to be removed. The  
17       trunk is there. The tree was cut down. We're excavating  
18       around it. Land work.

19                  And this is just to show you that little  
20       thing on the tripod is our air monitoring station. We  
21       have both air monitoring at the site and then we have  
22       stations set up when we do this. Part of the lead-based  
23       paint soil work plan. So that's good news. It's been  
24       going along quite well.

25                  We actually got a compliment. Our project



1 manager from Haley & Aldrich. A young woman named Katie  
2 Agbury specifically called and gave a compliment, which  
3 we don't get often, but we were very to receive on how we  
4 were handling the work.

5 MR. BERMAN: Are the paint chips actually  
6 visible in any way?

7 MS. FANELLI: Not usually. Not usually.

8 MR. BERMAN: So -- so --

9 MS. FANELLI: So we sample. We take a  
10 sample of the soil. We send it off for lead analysis in  
11 particular.

12 MR. BERMAN: Is the lead in compound form?

13 MS. FANELLI: You know, it's the lead  
14 analysis, so we just measure lead. I suppose it could be  
15 from something other than a paint chip, but if it's a  
16 high lead above our cleanup level at 400, it comes out.

17 MR. BERMAN: Yeah. I'm just wondering  
18 after a period of time what happens to the lead that was  
19 originally in the paint.

20 Does it recombine in some way?

21 MS. FANELLI: I think it usually adheres  
22 to the soil. As the paint chip deteriorates, it does  
23 adhere to the soil, and it does not tend to migrate.

24 So these excavations tend to be fairly  
25 well-defined. We don't usually see impacts greater than

1 five foot away from the drip line, and we don't see them  
2 any deeper than a couple of feet, usually from the  
3 buildings.

4 MS. BLUM: Eileen, once you've finished  
5 with the lead paint, base -- whatever, removal, do you  
6 ever have to go back and do it again or is it just a one-  
7 time deal for each and every residence?

8 MS. FANELLI: It is supposed to be a one-  
9 time deal. What -- the sequence that happens is we  
10 stabilize the exterior paint on the building, because  
11 there's usually still lead paint on the building.

12 So we do some type of either abatement or  
13 stabilization. We then go in and remove the lead-based  
14 paint in the soil, and then the burden on the Trust or  
15 whoever is the management agency for the building is to  
16 maintain that paint in a stable condition so that it does  
17 not recontaminate the soil.

18 So next quarter, we're moving a lead to  
19 complete our construction at fillsite 1, landfill 2.  
20 We're hoping to issue an update and begin working on a  
21 Draft RAP for landfill E and complete alternatives  
22 analysis for Baker Beach 1A and Merchant Road.

23 Under petroleum, we are finalizing -- we  
24 have submitted -- for 230 Priority 8 tanks, we've just  
25 submitted a no further action on about 141.

1                   You were all copied on that, and we're  
2   hoping to get the next -- the last of those eighty tanks  
3   in, as well.

4                   We're working on our construction  
5   documentation for the work that was done at 207 and we'll  
6   be getting out a data report for the 1213.1 tank work.

7                   For the lead-based paint, we're continuing  
8   to move ahead, and our next targeting for investigation  
9   is the MacArthur neighborhood. We might see some  
10   activity weather depending.

11                  This just tells you what we're working on.  
12   Infantry Terrace, Portola. We've submitted closure for  
13   Kobbe. I believe you were copied on that. And some  
14   MacArthur.

15                  And that's it. So I've gone on here. I  
16   know you're interested in landfill E, so I wanted to  
17   bring that up.

18                  FACILITATOR KERN: We've got a question.

19                  MS. THOMAS: I just wanted to -- I  
20   remembered the name. David Malman.

21                  MR. BERMAN: I knew it was like Melnick.

22                  MS. THOMAS: Me, too.

23                  MR. BERMAN: Do you see any problems at  
24   all with the finishing all the lead-based paints in terms  
25   of having to get access or something that you're

1     suspecting might be a problem, but you haven't really  
2     fully dealt with it?

3                   MS. FANELLI:    I think that we could have  
4     some challenges completing lead-based paint, and I think  
5     the challenges will be the building stabilization.

6                   We prioritize residential buildings, and I  
7     don't think we'll have any problem working through those.  
8     We may have some problems with the commercial buildings,  
9     buildings that don't have tenants or don't have current  
10    uses because of the -- the costs of abatement and/or  
11    stabilization, and the challenges that poses, and that's  
12    a financial analysis and a risk analysis that we are  
13    honestly just initiating and taking forward to the Trust  
14    EMT for them to make some decisions about buildings, for  
15    example, on the Thornburg District that are not in great  
16    shape.

17                   We don't that we don't necessarily have a  
18    tenant for that and what's the Trust going to do, how are  
19    they going to handle those.

20                   The reason we prioritize residential,  
21    that's where there's a risk and the tenants are located.  
22    For example, we could require as a tenant when the tenant  
23    brings resources that they do some of that work.

24                   So we may be able to mitigate some of the  
25    risk through other lease agreements if we are

1       unsuccessful in doing all that work prior to the  
2       insurance policies terminating.

3               MR. BERMAN:    Is the stabilization cost  
4       part of the remediation budget?

5               MS. FANELLI:   No, they are not.   So we  
6       only deal with the stuff that's become a release.   So  
7       once it hits the soil.   So the rehab of the building is  
8       an operations cost.

9               MR. BERMAN:    So if that's not done in a  
10      timely way, then like after a couple of seasons of rain,  
11      then you'll be back with Jan's problem having to clean it  
12      up again?

13              MS. FANELLI:   Right.   But most of the  
14      buildings that we've done, clean up the buildings have  
15      been stabilized and they have tenants.   So that isn't a  
16      problem.

17              There are buildings where we don't have  
18      tenants and there's not an immediate plan or plan even in  
19      the next five years for occupancy, and those are the  
20      buildings that present more of a logistical challenge or  
21      risk.

22              MR. BERMAN:    So you just won't do those  
23      until stabilization occurs?

24              MS. FANELLI:   Not necessarily.   I think  
25      that's the issue that the Trust is looking at, how do we

1 want to handle it. It seems foolish to do it without  
2 stabilization.

3 The issue for the Trust is, do we want to  
4 use our dollars to stabilize these buildings so that we  
5 can complete the remediation under the current program or  
6 do we want to defer that cost, absorb that risk and cover  
7 it in some other way through either a lease agreement  
8 with the tenant or somewhere else?

9 MR. BERMAN: And finally, are there any  
10 undisclosed lead-based paint sites at all?

11 MS. FANELLI: Not that I'm aware of.  
12 Basically all the buildings at the Presidio, 800 plus or  
13 included in the program, plus some playground areas.

14 MS. BLUM: That building across from the  
15 Presidio YMCA --

16 MS. FANELLI: Building 3?

17 MS. BLUM: -- sticks out as a building  
18 lacking any kind of maintenance whatsoever. I think it's  
19 T2 or T3. That one is peeling, and the edifice next to  
20 it, the two or three stair, I think that used to be the  
21 Park Service archives.

22 Have those been done work on?

23 MS. FANELLI: 3 has not, and I don't know  
24 about the other building. I think the building on the  
25 corner has been stabilized, but I'm not positive.

1                   Okay. I'll let you guys introduce  
2   yourselves since I've been talking so much here, but  
3   John, the project manager and Chris, the engineer.

4                   MR. FORTUNA: I'll just do a quick  
5   introduction since we're new on this project. My name is  
6   John Fortuna. I'm with Geosyntec Consultants in Oakland,  
7   California. We're consultants to the Trust on landfill  
8   E.

9                   This is Chris Hunt. He's a geotechnical  
10   engineer and lead designer for landfill E. He's going to  
11   talk a little bit today about some of the site  
12   investigations, the data gap investigations we've been  
13   doing at landfill E.

14                  MR. HUNT: Okay. I apologize if some of  
15   the stuff is a little bit grainy. We're working off a  
16   PDF on a Power Point conversion. If you can't see  
17   something clearly, I'll be glad to clarify.

18                  So what we're going to present here is the  
19   investigation work that we've been doing on landfill E  
20   starting beginning of summer.

21                  MS. SEGAL: The road to the far right  
22   is -- what's the road?

23                  MR. HUNT: The road to the far right.  
24   This one is Quarry, I believe. This one over here, I'm  
25   not sure.

1 MS. FANELLI: MacArthur.

2 MS. SEGAL: Thank you.

3 MR. HUNT: And this is -- you know, this  
4 is the ballfield. The edge -- the top, what I call the  
5 top deck, the end of the top deck of the landfill runs  
6 along this, right where the green is, all the slope. So  
7 the toe is down here.

8 MS. SEGAL: Okay. Thanks.

9 MR. HUNT: When we started the project,  
10 the first thing was to go through the documentation and  
11 deal with the data gaps. Those included -- focused  
12 primarily on design issues.

13 We wanted to collect additional  
14 geotechnical data; not on the landfill itself, but on the  
15 materials below the landfill so we built sufficient  
16 stability analysis for the design.

17 We selected surface water, on downfill of  
18 the landfill. Not on the landfill itself, because we  
19 were trying to figure out what water would be coming to  
20 us, how we could discharge at the toe of the landfill.

21 We worked on -- somebody had asked a little  
22 bit earlier on on defining the boundaries of the  
23 landfill. We wanted to get some information on landfill  
24 gas characterization, because if you're going to design a  
25 cover and if you're going to cover a gas system in there,



1 we felt it more to get the gas perimeters of the  
2 landfill, and finally the perched water table assessment  
3 was focusing on some of the previous documents had noted  
4 that there was -- near the toe of the landfill, there was  
5 a seasonal perched water table that was in the waste, and  
6 they wanted to look at that a little more closely.

7 The investigation was split into a Phase I  
8 and Phase II because of bird nesting season, but we  
9 really were able to focus the Phase I work.

10 We got the pieces we felt were key for  
11 moving the feasibility study work and the other work  
12 forward, and the Phase II work was more important for  
13 completing the design effort.

14 The -- so the landfill perimeter as  
15 previously outlined is the dashed line here. John will  
16 talk later on the perched water table about the surface  
17 water pipe that runs through the landfill, entering at  
18 the southern end of the landfill and exiting at the toe  
19 of the landfill at the northern end there.

20 These -- these locations, with the  
21 exception of this gas probes here, this one here and this  
22 one here, those three were existing gas probes where we  
23 collected data from. All the other pieces were new  
24 investigation.

25 Let me go to the next slide. I may flip

1 back a little bit to show these. I'm going to stay on  
2 here and give you a quick overview while I'm standing  
3 here.

4 The geotechnical data for the Phase I, we  
5 performed three CPTs. These are cone penetration tests.  
6 They've been done out there before, but you basically  
7 bring a big truck out and you're pushing a small rod into  
8 the landfill, into the materials below, and then on the  
9 tip of this rod is a cone and you're measuring the force  
10 it takes to push that rod into the ground.

11 You're measuring the resistance on the side  
12 of the rod, what we call the sleeve friction. You're  
13 measuring the water pressure that's in there.

14 We can also select some other more geo-  
15 physical data which will help us. Specifically something  
16 called a shearwave velocity. It's good for collecting a  
17 lot of information.

18 It doesn't take as long as a soil boring  
19 and you get a lot of information that we use as  
20 geotechnical engineers to correlate to various parameters  
21 and properties of the soil.

22 So we wanted to get -- we wanted to get  
23 four CPTs. We put three of them in here at Phase I. CPT  
24 201 back here in the corner. 202 right here in the  
25 middle of the landfill. 203 at the -- just at the

1       northeast edge on the top.

2               The Phase II, you'll see one at the toe of  
3       the landfill down below which we felt was important for  
4       stability. That was pushed to Phase II because we  
5       couldn't get down to the toe of the land due to the bird  
6       nesting season.

7               Our one new geotechnical soil boring was right  
8       in the middle, and that was for -- again, not for  
9       characterizing the landfill itself, but characterizing  
10      the soil below.

11              We put in one new soil gas probe here, this  
12      triangle right there, and that was to get -- from looking  
13      at the old data, we felt that there might be an area  
14      where gas may have accumulated due to the -- the  
15      topography of the landfill mass.

16              We put one more probe in there with a  
17      supplement of this probe which still exists out there and  
18      some of the other data that had been collected in the  
19      '90s.

20              Let's see. We also put these -- these are  
21      called -- these were quick -- what we call direct push  
22      borings where along the alignment of what we expect to be  
23      the future surface water channel that's going to run over  
24      the landfill.

25              What we were looking for here is simply

1 thickness of waste along this alignment, and then these  
2 guys, these open circles with the cross through them  
3 are -- were bar hole probe locations around the perimeter  
4 on both the eastern and western side, and those are just  
5 shallow holes, two to three feet deep that we excavate,  
6 we cover them up, let gas that may be in there  
7 accumulate, put a methane gas meter in there to see if  
8 there's any methane at the perimeter of the landfill  
9 surface.

10 So that's an overview of what we did. A  
11 little bit, just some of the details on the geotechnical  
12 work. So that one soil boring went down to 99 feet. It  
13 was probably -- 35 or so of it was -- I think it was just  
14 shy of thirty feet was in waste and landfill material.

15 So the bulk of the soil boring was in the  
16 native material below. We did those three cone  
17 penetration tests, which went from 68 feet to 113 feet.  
18 It was done right next to where we put the soil boring  
19 in.

20 We like to do that because then we can  
21 compare the two and we can do lab testing on the soil  
22 boring and we can look at our cone penetration data and  
23 we can make sure that we're getting correlation and  
24 getting good relationships.

25 Like I mentioned before, all of this is

1 really for stability analysis, for characterization of  
2 the underlying materials to make sure that we're creating  
3 a stable configuration.

4 MR. BERMAN: Was there an aquifer at 113  
5 feet?

6 MR. HUNT: We hit groundwater probably --  
7 not -- I don't know how far deep it was. We hit  
8 probably -- within ten feet of the bottom of the landfill  
9 is where we hit --

10 MR. BERMAN: Right.

11 MR. HUNT: -- a stable water condition.

12 We actually measured that with using the  
13 cone penetration test as opposed to the soil boring  
14 because we were using mud in the hole, drilling mud in  
15 the hole.

16 So you've got water in your soil boring, so  
17 it's hard to actually get a real good reading on what the  
18 water level is around.

19 MR. BERMAN: At the 113 feet, were you  
20 below?

21 MR. HUNT: Oh, absolutely.

22 MR. BERMAN: So you were totally below any  
23 groundwater at all?

24 MR. HUNT: We were in groundwater from  
25 probably five, ten feet below the landfill all the way

1 down.

2 MR. BERMAN: Okay. It just continued to  
3 be groundwater all the way down to 113?

4 MR. HUNT: Yeah.

5 MS. SEGAL: The landfill was like thirty  
6 feet and ten feet below?

7 MR. HUNT: Yes, yes.

8 MR. BERMAN: So do you have any idea how  
9 deep the aquifer is?

10 MR. HUNT: John, you can probably --

11 MR. FORTUNA: Yeah. I don't know -- it is  
12 directly under the landfill. It is a cone bearing zone,  
13 the Serpentinite and Franciscan formation below that,  
14 it's not a very good aquifer, unless it's highly  
15 fractured.

16 We didn't do anything deep enough directly  
17 in the landfill to get to the interface between the  
18 bedrock and the Colma at that location.

19 MR. BERMAN: So is it your thought that  
20 that aquifer underlies the entire landfill E area and  
21 even goes north of that continuing down --

22 MR. FORTUNA: Potentially, yes.  
23 Potentially, yes. It appears to be bounded on the east  
24 and west sides by Franciscan bedrock, which is not a  
25 water bearing unit, and it's also close to the south

1       where the ridge line is. But it does underlie landfill  
2       E.

3                   MR. BERMAN:    So let me -- I know this is  
4       not your problem or the problem of the Trust, but I'm  
5       just curious. Is that an asset?

6                   MR. FORTUNA:   In what regard? Drinking  
7       water aquifer?

8                   MR. BERMAN:    It's a fairly large amount of  
9       water there, and I just wondered if that's considered an  
10      asset for drinking water or -- I don't know.  
11      Subterranean swimming pool.

12                   Now that you've assessed it, I just wonder  
13      whether you associate any value to it or is it just a  
14      geological curiosity?

15                   MR. FORTUNA:   We haven't specifically  
16      assessed is the water resource capacity of that aquifer,  
17      but typically, based on the size, it wouldn't be  
18      considered a water resource, and the reason is that it's  
19      essentially bounded to the east and west and to the south  
20      by impermeable bedrock.

21                   So as you begin to pump out of that  
22      aquifer, the water level would decrease pretty rapidly  
23      and you'd be limited to infiltration and recharge that  
24      occurs seasonally.

25                   Again, we haven't assessed it specifically,

1 but my feeling is based on the sort of aerial extent, it  
2 wouldn't be suitable for drinking water supply. It just  
3 wouldn't have enough capacity.

4 MR. BERMAN: Although you don't know the  
5 full depth, you still feel that it wouldn't be enough  
6 capacity?

7 MR. FORTUNA: We haven't evaluated it  
8 specifically.

9 MR. BERMAN: Mm-hmm.

10 MR. BERMAN: Just the east, west and south  
11 boundaries are so limiting, it would have to be  
12 tremendously deep.

13 MR. FORTUNA: There's no geologic reason  
14 to think it continues very much deeper than our  
15 investigation.

16 Based on the geo -- the regional geologic  
17 mapping that's been done and the bedrock that outcrops of  
18 the surface nearby, we don't expect that valley to be  
19 anything other than a traditional V-shaped valley.

20 We didn't get to the bottom of it in our  
21 investigations, because we were effectively pushing right  
22 in the center of the valley where you have both Colma  
23 formation and waste on top of that.

24 MR. HUNT: So this CPT in this area here  
25 were pretty deep. We got down to a hundred feet or a



1     little bit more than that. This one back here was  
2     probably -- I think this one and this cone penetration  
3     was both on the order of seventy feet, and that was where  
4     we couldn't get the cone in any further, which probably  
5     means that we were south of sandy materials.

6                 So we have this thicker zone in the middle  
7     and you've got your canyon kind of coming down below, and  
8     so that's usually what we'd see in a scenario like this.

9                 I think part of what John is saying is we  
10    were pinched out by the geometry of the site. Maybe  
11    there's a zone in the middle where we have some, and  
12    we're not sure how thick it is in all places, but we were  
13    certainly able to go deeper in the middle than we were in  
14    the edges.

15                MR. BERMAN:    So the conclusion is you  
16    identified it and it's a geological curiosity, but it's  
17    not really an asset.

18                MR. HUNT:    I need it for my stability. I  
19    need to know where water is. It's a very important piece  
20    for my work.

21                Okay.

22                MR. BERMAN:    Okay. Up to?

23                MR. HUNT:    Surface water. So our surface  
24    water audit. They walked around the site walk, basically  
25    around the watershed that -- that feeds to landfill E,

1 looked at areas where -- where water was crossing,  
2 whether it was feature culvert or some feature that would  
3 have shunted water away from the landfill or natural  
4 drainage divide.

5           They looked at -- they went up the stream  
6 channel from the landfill, took various cross-sections  
7 across here and actually measured the topography in there  
8 to see how steep the channel was, whether there was  
9 evidence of re-erosion, and the goal here is to evaluate,  
10 okay. How much area is draining to my site? How quickly  
11 is it coming and how much of a load of sediment is it  
12 going to be carrying that I have to be able to address  
13 with my -- with my surface water channel that's going to  
14 come up here?

15           And they actually looked downstream of the  
16 landfill at the northern end and found essentially  
17 that -- that -- down in the flat below the landfill,  
18 there isn't much evidence of the stream channel present.  
19 It's very vegetated and overgrown.

20           You couldn't see a defined channel, but all  
21 of that goes into figuring out how -- how large a channel  
22 do we need in order to handle the design flows and what  
23 do we need to do in order to handle the sediments that  
24 we're going to see coming at us, and given that there's a  
25 lot of vegetation out here, the sediment loads are very

1       small.

2                   It's a relatively small watershed. The  
3       channel isn't enormous and we can run it fairly flat, and  
4       those are the kind of pieces of information we're looking  
5       for.

6                   On the boundary refinement. In Phase I, we  
7       were really long at those -- at those borings along the  
8       stream channel alignment, and this was -- I'll just point  
9       that is out again.

10                  These are these -- it was these guys right  
11       along here where the channel would be going. That -- and  
12       what we were looking for was depth of a landfill  
13       material.

14                  This is this direct push rig, which is  
15       basically pushing a core down in with clear plastic  
16       sleeves, and this starting from the left and the right is  
17       what we got back from those borings. This is one boring,  
18       one location.

19                  What you can see in the upper material is  
20       you get -- the core is much more broken up. You see  
21       chunks of concrete. You see different colors in your  
22       material. You're seeing signs of the landfill material.

23                  In here, for example, they pushed this hole  
24       four feet and only got maybe a foot and a half material  
25       back. It was very disturbed. You hit a piece of brick

1 and it clogs the tube and you only get partial recovery  
2 in there. You have evidence that you're in these  
3 landfill materials.

4           Once you start below, you're getting into  
5 the native materials and you can see where brick ended  
6 and there are more pieces of glass or other debris in  
7 there and you could call out where you would recognize  
8 the Colma formation, and we'll get one of or most  
9 experienced geologists and could call out the boundary  
10 for the native content.

11           Of the five borings, we pushed them from  
12 eighteen to twenty-four feet. Once we were into the  
13 native material, we didn't go any further, and we found  
14 that as you were at the southern end of the alignment  
15 where the landfill's coming from the back and things are  
16 starting to thin out, we had about -- up to about ten  
17 feet of landfill material, and as we got close to the  
18 base of the landfill, we got twenty feet of landfill  
19 material.

20           So that was -- and that was really to give  
21 us -- see what options we would have as we moved through  
22 the design.

23           Landfill gas characterization. I mentioned  
24 we'd installed one new probe and we sampled the three  
25 existing probes out there. This picture shows the

1 location of the new probe, which we installed. It has  
2 two screened intervals.

3 That means so you've got one piece of PVC  
4 casing going in there that has two sections of five foot  
5 each of screen where the gas can get into the casing, and  
6 then it goes through -- and that gas goes to one outlet.

7 Here. There's another deeper screen  
8 interval goes to the -- I guess there are two separate  
9 casings to the other one.

10 We have one that was screened at 5 to 10.  
11 One that was screened at 17 to 22. So we installed that  
12 one. We took samples of this.

13 This is the sampling from one location.  
14 This one we have a split sample. We're collecting a  
15 duplicate sample at that location so we can send it to  
16 the lab and have confirmation that we're getting the same  
17 results.

18 We also at this -- during Phase I, we  
19 didn't collect samples out of the three soil gas probes,  
20 but we did take our gas meter and we did do a measurement  
21 in the field and we confirmed that they were getting the  
22 same readings that they had gotten in the previous  
23 investigation.

24 I mentioned the one bar hole probes around  
25 the perimeter. Those little shallow holes where we were

1 just checking to see if there was any evidence of methane  
2 at the perimeter of the landfill. And we did one surface  
3 emissions monitoring one afternoon.

4 Nate, our geologist went out there with the  
5 gallons meter and he basically walked the entire top of  
6 the landfill in probably a twenty foot by twenty foot  
7 grid across the landfill and stopped every twenty feet,  
8 held the gas meter down to the surface of the landfill,  
9 waited there to see if there was any detection of methane  
10 coming off the top and then moved on and would record any  
11 event where you get a detection of methane above -- I  
12 think he had it so that he could get -- the target  
13 typically for those is 500 parts per million.

14 He calibrated the instrument and we got no  
15 methane at the top of the surface, across the entire top.  
16 Actually in the new one, we found the highest methane on  
17 the inside of the landfill.

18 On the five field screen interval, both in  
19 the sample in the field with the gas meter and the sample  
20 we sent back to the top, we got thirteen percent methane  
21 inside of the landfill.

22 We had -- at one perimeter location  
23 consistent with the previous investigation, there was a  
24 .1 percent methane at one of the perimeter gas probes.

25 All of the other ones had zero, and none of

1     our bar hole probes of our surface readings showed any  
2     methane at the area where we were working on the surface.

3             MS. CHEEVER:   Does that percent mean  
4     whatever percent of gas of atmosphere is in there?

5             MR. HUNT:    That's percent of volume of the  
6     air.  If I had a liter of gas, thirteen percent of it was  
7     methane.

8             So in the landfill -- well, when -- when  
9     you have an active landfill where they're actually  
10    placing municipal solid waste that generates methane, you  
11    would see numbers that are in the -- in the 45, fifty  
12    percent range inside a landfill.

13            If we're down -- at this end, the last  
14    waste was sometime before -- before 1972, I think, and so  
15    it's been degrading for a number of years now, but there  
16    is still some -- there's still something in the landfill  
17    that is producing some gas, but it's not migrating to the  
18    outside.

19            So we can -- we can collect it.  We can  
20    capture it.  It's not getting to the surface at present,  
21    but yet there's still some there.

22            MS. BLUM:    Are you saying it might be the  
23    original solid waste breaking down or one of a number of  
24    things or is it -- I've heard about cows producing a  
25    great deal of methane in compost materials.

1                   MR. HUNT:    Yeah, and the -- I'm not a  
2   landfill gas chemist, so I can't give you all the details  
3   of it, but the -- the material in the landfill that  
4   produces the methane, whether it would be organic  
5   something, you know, your banana peels and everything  
6   else that are decomposing over time, they don't release  
7   all their methane at once.

8                   As they degrade, they produce all the  
9   methane and they have to have access to -- as -- when I  
10  was digging into the details with our chemist, any -- any  
11  methane that is -- that is deemed produced by landfill is  
12  being produced at a standard rate, but here we're doing a  
13  five foot screen interval.

14                  What we're getting is the average reading  
15  over that zone.   So you may have a pocket of something in  
16  there that's producing methane at 45 or fifty percent at  
17  a six inch interval at the source, but what we're getting  
18  is an average reading over that sample.

19                  We put that probe in the location where we  
20  thought from looking at all the data before, we said this  
21  is where we think, if methane is going to be somewhere,  
22  we looked at where we thought things might accumulate  
23  based on the old landfill that had been evaluated and we  
24  found it.

25                  MR. BERMAN:   From the tubes that you



1 brought up -- from the first probe and you look at, and  
2 you talked about bricks and things like that, was there  
3 anything suspicious as the candidate for the methane  
4 production?

5 MR. HUNT: Well, we saw a lot of -- you  
6 get stuff that smells organic in places, but -- and there  
7 were things that looked like -- like wood chips. Maybe  
8 some burnt wood chips that would be organic content.

9 But it's been in there so long, so it's  
10 pretty heavily decomposed. It's hard to tell something  
11 that's an organic material.

12 So definitely there were pockets of stuff  
13 that had a more organic smell to it as you're drilling it  
14 out.

15 MR. BERMAN: So that level at thirteen  
16 percent and sort of combined to the deepest part, what's  
17 the hazard associated with that?

18 MR. HUNT: The hazard -- at that depth, at  
19 those concentrations, it's not a significant hazard as  
20 long as air doesn't get down there. As long as there's  
21 no oxygen which would help to cause a fire.

22 This is down -- down well below the surface  
23 and we don't have -- there was no oxygen going along with  
24 any of these samples. So it's really -- it's a highly  
25 unlikely scenario.

1                   So we need to keep it from getting to the  
2     surface.

3                   MR. BERMAN:    Right.  And the water -- the  
4     drainage pipeline is sufficiently far away from the  
5     active methane area, so there's no worry about a  
6     connection between the two as you --

7                   MR. HUNT:    Well, the areas where -- so the  
8     drainage line, we connected the dots over here in terms  
9     of where -- the locations where we know that drainage  
10    line is, and this is where we found the highest methane  
11    for historical readings and investigation was important  
12    on the eastern side, and then rest of the perimeter  
13    probes over here had no methane.

14                  So what's there doesn't seem to be moving  
15    around.  Yeah.

16                  MR. ULLENSVANG:  Did I hear you say that  
17    all your samples were zero percent oxygen?

18                  MR. HUNT:    The samples at a depth where  
19    the methane was didn't have any -- or very, very low.  I  
20    think it was zero, but I'd have to go look at the data.  
21    So at the ground surface, it certainly was.

22                  MR. BERMAN:    So in terms of the proposed  
23    remediation, in terms of the cap, this doesn't look like  
24    any hazard to worry about.  It's deep, it's not offended  
25    by -- attended by oxygen in any way --

1 MR. HUNT: Yeah.

2 MR. BERMAN: -- and presumably whatever  
3 water seeps through this and touches that will not be --  
4 doesn't shift it very much because it seems to be  
5 contained.

6 So, I mean --

7 MR. HUNT: We think the hazards associated  
8 with the gas are pretty low. What we have talked about  
9 in terms of the design is that we should still have some  
10 component of our cover system that will collect gas if it  
11 comes up.

12 Because we're going to cap it. If any  
13 comes up, it might -- if we change the conditions out  
14 there, we want to make sure we don't make things worse by  
15 capping the landfill.

16 We'll be able to vent it, but we don't  
17 think that there's a hazard in there.

18 MR. BUDROE: I realize this question goes  
19 beyond the characterization, but what would be the  
20 disposition of any methane that was extracted from the  
21 gas collection system?

22 MR. HUNT: In -- when you say  
23 "disposition" --

24 MR. BUDROE: It's a greenhouse gas. Are  
25 you going to vent it to the atmosphere and take the hit?

1                   MR. HUNT:    The quantities from this  
2    landfill given the age are well below any thresholds from  
3    the Air Board in terms of what we would be generating.

4                   So we wouldn't -- and it would be far below  
5    any ability to probably -- I'm not a landfill gas energy  
6    guy, but the -- from what I understand, it's far below  
7    the ability to generate any power.

8                   I guess you could if you had enough, but  
9    we're not seeing enough to actually do much with it.

10                  We are going to vent it and we're -- we are  
11   doing some analysis to figure out how many vents located  
12   were based on some conservative assumptions about what  
13   methane could be in the landfill, but at present, we're  
14   assuming that we'll be venting it.

15                  Anything that does -- currently we're not  
16   seeing anything come to the surface, but we want to have  
17   a system as such that if something does come to the  
18   surface, that we have a place to send it.  If we don't  
19   capture it.

20                  MR. BERMAN:   Sufficiently it's small in  
21   quantity and sufficiently deep, so even in a major  
22   earthquake, it's not -- it would not be considered a  
23   hazard?

24                  MR. HUNT:    I don't believe so.

25                  MR. KETCHAM:   Is methane one of the main

1 things you're worrying about when you're doing your  
2 testing?

3 MR. HUNT: Methane is the main worry when  
4 testing for gas. When we sent it to the lab, we tested  
5 for the carcinogens for landfill gas, and we got numbers  
6 that were well below the criteria.

7 We compared them to -- to the threshold  
8 screening levels for shallow soil for residential  
9 purposes and they were still below.

10 MR. KETCHAM: You may have answered this,  
11 but have you tested enough to be confident that it's not  
12 thirteen percent in one area, but fifty percent in  
13 another area?

14 MR. HUNT: Well, so -- you know, there  
15 are -- back in the '90s, there was the first round of  
16 investigation that was done that covered more of the  
17 area.

18 Based on that, when the work that was done  
19 in the early 2000s, 2002, I think when those three probes  
20 went back and we looked at them again, those ones, based  
21 on the original data, they picked the site that if they  
22 were going to look for more, they would go there. We  
23 supplemented that with another internal boring.

24 As you see in Phase II, we also put  
25 perimeter gas probes at the outside to make sure nothing

1 is migrating to the south or north or west.

2 MR. KETCHAM: And you put enough testing  
3 devices in the ground close enough to each other that  
4 you're not going to miss a pocket; right? That was  
5 internal to the fill.

6 MR. HUNT: We have to make a judgment.  
7 There's always the possibility that there was a pocket  
8 that hasn't been addressed.

9 MR. BERMAN: But the volume is small.

10 MR. HUNT: The surface screening with --  
11 at bar hole probes, we went next to the -- right next to  
12 this location where we had thirteen percent methane at  
13 depth and we did one of those shallow bar hole probes.  
14 We went three feet down and tested for gas at the surface  
15 and didn't see anything.

16 So there could be something higher than  
17 thirteen percent somewhere in that landfill. It's very  
18 old waste and, you know, I don't think we're going to see  
19 significantly higher concentrations, and we're still  
20 planning on taking a conservative valuation of when we  
21 design the gas system as part of the cover and I think we  
22 should be okay.

23 MR. BERMAN: Our questions -- we're mostly  
24 fond of clean closure, so whenever there's a -- a RAP  
25 that's going to go for a cap, we just want to be

1 concerned that what's being left there is truly  
2 contained.

3 MS. FANELLI: I want to just point out  
4 that it's twenty of. I know they have a lot more slides,  
5 so people aren't fatigued at 9:10 and they're not done.

6 I don't want to cut down the questions,  
7 either. That's why they're here.

8 FACILITATOR KERN: Well, thank you for  
9 that. It seems like this has -- this investigation and  
10 having you guys here clearly outweighs, you know, my  
11 birthday party, actually.

12 It's something that many of us have been  
13 interested in and working on for over fifteen years. We  
14 would actually welcome the opportunity to review the data  
15 and have you back and be able to actually ask really  
16 informed questions where we could -- you know, this is  
17 all off-the-cuff.

18 Can you imagine what we'd be asking you if  
19 we had read your report or looked at the data ourselves?

20 It's really important data that you're  
21 talking about, huge amount of concern from a variety of  
22 the interests around the table. We have people that are  
23 actively interested in ballfields and natural  
24 restoration. So this is really important to us.

25 Appreciate your work on it, and if we have

1 to kind of limit it tonight at some point, you know,  
2 maybe we can ask Eileen if we can have you back depending  
3 on your time and things like that.

4 Perhaps we can make arrangements to have  
5 further discussions.

6 MR. HUNT: I'm going to have John take  
7 over here.

8 MR. FORTUNA: So yeah. So we -- in our  
9 data gap review and evaluation of hydrogeologic  
10 conditions at landfill E, we noted that there was some  
11 documentation of seasonable perched freshwater tables in  
12 the landfill that might bring groundwater in contact with  
13 waste.

14 So we wanted to do a critical evaluation of  
15 what was happening there, and as we did some of our  
16 preliminary analysis and began to look into what was  
17 really going on with the perched water table, it became  
18 apparent to me that -- that that couldn't be accounted  
19 for by natural processes, meaning infiltration directly  
20 through the landfill into the waste or a rise in the  
21 groundwater table itself to come in contact with waste,  
22 and -- and there'll be a little more detail on that  
23 analysis in our report, but essentially what we were  
24 seeing is that we were not seeing substantial regional  
25 groundwater level rise under landfill E.



1           We were only seeing significant rise in  
2 wells that were screened in waste, and that's not really  
3 consistent with the water table coming up seasonally.

4           So we were looking -- we immediately began  
5 to look for other potential sources of -- of water to the  
6 landfill that could cause that condition in the waste,  
7 and -- and one of the things we identified was this  
8 surface water drainage pipe that runs underneath the  
9 landfill.

10           There's currently no surface water  
11 conveyance on top of the landfill from the -- sort of the  
12 back portion of the western watershed to the front  
13 portion.

14           It's all diverted into a clay or terra  
15 cotta pipe that runs beneath the surface through the  
16 landfill itself.

17           This is a potential concern because  
18 landfills settle over time and clay pipes are brittle.  
19 So as we looked into it, we found that in 2002, there was  
20 a sinkhole in the landfill that was associated with a  
21 break in the pipe and a repair was performed at that  
22 time, and so what we propose to do is take a video camera  
23 and take a video survey of the pipe from the south end of  
24 the landfill to the toe of the landfill and document the  
25 condition, and it turns out -- I think the utilities

1 group of the Trust had done that survey in 2004.

2 So we reviewed that -- the video as part of  
3 our data gap evaluation, and what we found when we looked  
4 at that video was that about 365 feet from the southern  
5 end of the landfill, that pipe is essentially sort of  
6 crushed. It's compressed vertically. It's elongate.

7 The middle photo there, you can see there's  
8 numerous cracks in the piping itself, and in so many  
9 areas, there were even breaks in the pipe. As you see a  
10 couple of different photographs on the left-hand side.

11 The video did continue -- and so there was  
12 a section from about 365 feet to 420 feet where  
13 essentially the pipe was fractured or cracked and broken  
14 in places and really sort of porous.

15 At the end of the pipe outlet, at the toe  
16 of landfill E, there's a lot of vegetation sort of  
17 growing, kind of partially obscuring the edge of the pipe  
18 as you can see.

19 There's no real evidence of scour from  
20 water moving through there, and based on some of the  
21 earlier work that's been done by EKI, there's really no  
22 evidence of flow exiting that pipe, except under very  
23 heavy periods where there's water ponded at the back end  
24 of the landfill.

25 And so we believe that -- I believe that's

1 the source of -- or a portion source of the water that  
2 causes the periodic perched water table conditions in the  
3 landfill.

4 Effectively you could have water that's  
5 essentially just draining out of this piping into the  
6 waste rather than being transported to the toe of the  
7 landfill.

8 And -- and we'll have some detailed  
9 analysis of that condition and some estimates of what  
10 that water loss might be when we finish analyzing all of  
11 our data and put out our report that you guys will see.

12 MR. BERMAN: Doesn't that analysis depend  
13 upon how many breaks there are or do you make an  
14 estimation -- you just do the worst case, assume that  
15 it's broken and an entire water flow is exposed at some  
16 particular point?

17 MR. FORTUNA: Right. And one of the  
18 things that we have from previous work. There was a  
19 period in I believe 2002/2003 where there was continuous  
20 monitoring of surface water discharge at a downgradient  
21 point through the rainy season.

22 I think that work was done by EKI, and --  
23 and so we know what the flows are and we can estimate  
24 what the flow should be for the entire watershed and what  
25 the portion of those flows that would enter that pipe can

1 be and see how those numbers work out to get an estimate  
2 of how much water might be loss in the landfill.

3 MS. FANELLI: So Sam, your question seemed  
4 to imply that we would only look at the worst case  
5 scenario, and that's not exactly true.

6 We're trying to match actual flow data  
7 that's metered at different portions to actual. So it's  
8 a global hydraulic analysis that will result in a range  
9 of potential water loss through the pipe into the  
10 landfill.

11 MR. BERMAN: Right, but since the pipe is  
12 degrading, the worst case is really a realistic case  
13 because --

14 MS. FANELLI: Oh, yeah. It's based on  
15 numbers, but it isn't that we're moving forward one  
16 number. It's really a range that we look at based on all  
17 of the information that they have.

18 MR. BERMAN: But in terms of a potential  
19 hazard or remediation activity, the worst case is the one  
20 that you have to design for, more or less.

21 MR. HUNT: From a design standpoint, our  
22 plan is to plug this pipe and run all the water in a  
23 channel across the surface and not have a pipe that goes  
24 through the landfill anymore.

25 MR. BERMAN: Okay.

1 MS. FANELLI: Which would mean remove it  
2 as a source so the pipe would no longer be a source of  
3 recharge.

4 MS. NEWTON: How deep is the pipe?

5 MR. HUNT: It appears not to be very deep.  
6 This was a trench from the surface, and this is kind of  
7 near the entrance to the landfill when you first go  
8 through the gate.

9 It appears to be running fairly shallow on  
10 the top of the landfill and then it drives into the  
11 slope.

12 MR. BERMAN: So this is just a moot  
13 question so it's no longer part of the design.

14 MR. HUNT: Yeah. We don't --

15 MR. BERMAN: It's just really a discovery  
16 of the source of the perched water.

17 MR. FORTUNA: Yeah, and it's important  
18 because we're trying to evaluate -- if we remove that  
19 source of water to a landfill, that is the effect on the  
20 perched water table conditions and how will that change.

21 MS. CHEEVER: Do you know when the pipe  
22 was put in?

23 MS. SEGAL: Is the something on the far  
24 right like concrete? I see the pipe, but on the right,  
25 it looks like it might have been encased.

1           MR. FORTUNA:   We believe there was a  
2 relatively gently sloping part of the pipe from the south  
3 end of the landfill until this block, and at this point,  
4 the pipe essentially bent to a steeper angle, and that  
5 block was holding those sections together and that's  
6 where the break occurred and settlement happened.

7           MS. NEWTON:   Is that the temporary repair?  
8 What does that mean, temporary repair was performed in  
9 2002?   June.

10          MR. FORTUNA:   Yeah.   Essentially the  
11 repair that was performed was a -- I believe a PVC  
12 replacement section was -- was connected from the block  
13 here about ten feet down where pipe was replaced.

14          MR. HUNT:    This is actually -- there's an  
15 equal piece of concrete on this side, like a wall over  
16 here and a pipe coming in there.

17                 So I think they connected from here to here  
18 with a piece of PVC.   We could see it in the video where  
19 they switched to a different pipe type, and you could  
20 also see right after that length where the pipe got  
21 steep.

22                 This structure was kind of put in there to  
23 hold it in place before it dropped down to the slope.

24          FACILITATOR KERN:   I'm just wondering if  
25 there would be a way to test your hypothesis without

1 permanently closing off the pipe coming up maybe this  
2 winter? I mean, since what you're suggesting would have  
3 a fairly significant impact on the remedy.

4 MR. FORTUNA: It can be tested. It's  
5 difficult to duplicate the perched water table  
6 conditions, because the amount of rain and runoff that is  
7 required to -- to generate perched water conditions is  
8 significant, I believe. Ten inches in a 45-day period.

9 We could certainly test the integrity of  
10 the pipe by testing the water and seeing how much comes  
11 out.

12 MR. HUNT: During that monitoring period  
13 previously -- John mentioned it earlier -- there was --  
14 when you go from the southern end of the landfill where  
15 the pipe -- where the inlet to the pipe is, there's  
16 something with a depression where the water flows into  
17 the pipe and then we have the exit of the pipe, which is  
18 that picture on the lower right where it goes out, and  
19 the observations at the time were that no water  
20 discharged from the toe -- you know, at the outlet of  
21 that pipe where the water was ponding at the pipe.

22 So we think it took a lot of flow to get to  
23 the point where water got past the break and came out the  
24 toe of the landfill, and for a good portion of that time,  
25 the water was going through the cracks.

1                   So there has been some tests, but not a  
2                   measured test with specific volumes.

3                   FACILITATOR KERN:   Several of us have been  
4                   monitoring this over the years and we've seen all the  
5                   things that you've been talking about. We've seen water  
6                   gushing out the lower end. We've seen other seeps along  
7                   the whole toe of the landfill.

8                   We could probably talk to you about a  
9                   variety of things that we've seen, sheet flow that eroded  
10                  off the toe of the landfill and the big pond in the back.

11                  And so, you know, we're definitely aware of  
12                  those things, so I'm really quite interested in your idea  
13                  that the -- what you're calling the perched water is  
14                  coming from this pipe and not coming up from below.

15                  Because we've certainly seen data  
16                  suggesting that water does impact the fill at a certain  
17                  level, and we have contested the idea that groundwater is  
18                  only ten feet -- is like ten feet below the bottom of the  
19                  fill because of that data. So this is a really important  
20                  point.

21                  MR. FORTUNA:   And I think we'll have more  
22                  detail on that when we -- when we complete our analysis.

23                  You know, one of the things that led us to  
24                  this pipe in the first place is if you look at how water  
25                  levels change over time, seasonally in response to heavy



1 rains in the Colma formation, the fluctuations are quite  
2 small.

3 If you look at how they change in the wells  
4 that are in contact with waste, there are orders of  
5 magnitude different, and that's not -- that's not what  
6 you would expect if you were having a water table  
7 response.

8 FACILITATOR KERN: There are other  
9 conditions in the next area over at El Polin Spring that  
10 I could talk to you about that are interesting over the  
11 years where it's seemingly -- well, I don't want to get  
12 into the details here, but it might be -- might add to  
13 your thoughts on.

14 MR. FORTUNA: I certainly would be  
15 interested in hearing about that.

16 MR. BERMAN: Was the position of the  
17 sinkhole consistent with the point of the break in the  
18 pipeline just from --

19 MR. FORTUNA: Yes.

20 MR. HUNT: Yes.

21 MR. BERMAN: So that supports your theory  
22 a little bit, also.

23 MR. FORTUNA: Yeah. The pipeline in the  
24 video, which was two years after the repair, the pipeline  
25 sections upstream of the break are fine, and for about

1       fifteen feet downstream of that break are fine.

2               So it's clear that the sinkhole did develop  
3       from the broken pipeline in that location.

4               MR. BERMAN:    So can you estimate from the  
5       nature of the sinkhole what the water flow was?

6               MR. HUNT:     That's a tall order.

7               MR. FORTUNA:   Yeah.  I don't know.

8               MR. HUNT:     It probably developed over a  
9       number of years, and you had the asphalt pavement over  
10      the top that enough was eroded and it was probably going  
11      on as the material was getting eroded into the pipe, some  
12      compaction around the pipe.

13              Some of the sediment was getting into the  
14      pipe, and then at some point, you had no support to the  
15      pavement and the sinkhole occurred.  But, yeah.

16              How long it took to get there is pretty  
17      hard to --

18              MR. BERMAN:    But in the -- in the proposed  
19      remedy, this pipe no longer is going to be in operation  
20      and it's all going to be surface drainage.

21              MR. FORTUNA:   That's right.  The design  
22      would include a surface drainage and this pipe would be  
23      effectively sealed.

24              MR. BERMAN:    So just to emphasize what  
25      Doug is saying, this then -- in terms of that remediation

1 and that drainage, then that heavily relies on the  
2 conclusion that there is no connection with the  
3 groundwater and waste.

4 MR. FORTUNA: That's correct.

5 MR. BERMAN: That's the point that Doug is  
6 emphasizing, that this is a -- a very important  
7 conclusion and one which affects the -- the validity of  
8 the remediation.

9 MR. FORTUNA: I would agree, yeah.

10 MR. HUNT: I guess just -- we didn't -- we  
11 didn't find the pipe and go searching for an explanation.  
12 We saw the evidence and the data on the rise in the water  
13 level and says what is their explanation because it  
14 doesn't match the geology, and then found out about the  
15 pipe.

16 MR. BERMAN: But the remedy that's  
17 prescribed says that you better be right.

18 FACILITATOR KERN: Well, that's --

19 MS. FANELLI: There's other evidence, too,  
20 that you take into account, and obviously there's a lot  
21 of history about groundwater data. It's one piece of a  
22 large puzzle.

23 MR. BERMAN: Right, but that all supports  
24 the proposition, but in the end, the proposition has to  
25 be right to be consistent with the remedy.

1                   FACILITATOR KERN:    I think we're going to  
2   talk more hopefully and have more conversations.

3                   MR. BERMAN:    I think when we read the  
4   material and everything, but I think it's an elegant  
5   proposal.

6                   MR. HUNT:    Just -- this is Phase II which  
7   we're in process on the -- in this case, the colors don't  
8   show up that well.  Purple was the stuff that was  
9   completed at phase one.

10                  These triangles again are the three  
11   existing gas probes, and then the stuff in magenta is new  
12   work, and so we now were able to do our soil boring  
13   and/or CPT at the toe of the landfill, plus we put in one  
14   more gas probe at the outside limits of the landfill to  
15   check for downgradient migration of gas.

16                  We also put another gas probe on this side  
17   of the landfill and another gas probe to the back here,  
18   and these -- these perimeter -- all around the perimeter  
19   of the landfill we did -- let's see.  Actually, it's  
20   enumerated on the next one.

21                  So geotechnical data, one soil boring, one  
22   CPT at the toe.  We wanted to evaluate the thickness of  
23   the waste in the historic forest area back here and one  
24   more point back there.

25                  Around the perimeter, we put fifteen hand

1     auger borings where my hand went down five feet at the  
2     current limits of the landfill, and if we saw evidence of  
3     waste, of landfill material in there, we would then step  
4     out ten feet to see if there was evidence there, and if  
5     there was, we would step out.

6                 We're evaluating that data right now. So  
7     okay. The previous landfill boundary was based on  
8     looking at all the existing data, the topographer and we  
9     wanted to evaluate that approach or move it to another  
10    area.

11                We're evaluating that now to see if there  
12    are any changes to be made to the boundary.

13                And then the gas, we put in the three new  
14    perimeter gas probes. We did another round of perimeter  
15    bar holes, which are those shallow holes, and we did one  
16    round of gas sampling of all of the existing gas probes,  
17    including testing samples that we sent to the lab from  
18    each of the gas probes, not the field measurement now.  
19    We actually collected samples to send to the lab.

20                This is all really stuff that's targeted  
21    for helping us with the design elements of the project,  
22    stability analysis, the -- the limits of the cover system  
23    that we would come up with and the type of gas collection  
24    system that we would do.

25                And that's all. You know, we're just kind

1 of collecting all this information now.

2 MS. NEWTON: When do you hope to be done  
3 with Phase II?

4 MR. HUNT: Lab data is coming in. The --  
5 we haven't put a firm date on it yet.

6 MS. FANELLI: They're working on a data  
7 report and then we're going to get that data report  
8 issued, and we'll updating feasibility study in  
9 consultation with DTSC.

10 So I would anticipate you'd see stuff in  
11 writing -- it's scheduled pretty soon. We want to get it  
12 out ASAP.

13 So this is not something that we're trying  
14 to hold back at all. There's no reason for us to do  
15 that.

16 So I'm hoping that there will be something  
17 issued. If I say a date, they'll cringe. It means they  
18 have to write faster, but I would be hoping to get  
19 something out prior to the next RAB meeting. You know,  
20 next month so that you have something to look at  
21 definitely.

22 MS. CHEEVER: Where in this process -- is  
23 public comment scheduled in this process, or even if it's  
24 not scheduled, are there places that it could be allowed?

25 MS. FANELLI: It's definitely scheduled.

1     When we issue documents, you definitely have a right to  
2     comment.

3             My understanding is that the project  
4     manager for this site is Virginia Laskey and that they  
5     are contemplating some type of -- similar to what they  
6     did an fillsite 1, landfill 2, some workshops and some  
7     opportunities, but I haven't gotten any details as to  
8     when they would -- when they would hold those.

9             But my understanding is that they would do  
10    something similar.

11            MS. BLUM:    I'm definitely not a  
12    hydrologist, but I have seen the area and I'm very well  
13    aware that it's heavily forested and there are a lot of  
14    bushes and trees that are absorbing a lot of water,  
15    especially eucalyptus that take up a lot of area water in  
16    that area.

17            How do you factor tree removal that take up  
18    a lot of flow on a landfill? How do you forecast what  
19    that might look like after we do clearing, which I'm sure  
20    will occur to some large degree because it is going to be  
21    recreational area and push the perimeters back and so on?

22            MS. FANELLI:   Before he answers  
23    technically how they do their evaluation, we actually  
24    have removed all the trees we need to. We're not  
25    anticipating a significant tree removal this fall in

1 anticipation of construction next year.

2           There's really a few trees around the toe  
3 and maybe a few on the southern boundary, but it's not a  
4 significant amount.

5           A lot of the trees that were removed when  
6 we did the original access road that helped us out to get  
7 into fillsite 1 and landfill 2.

8           So there won't be a lot of dynamic change  
9 in terms of vegetation on the surface and the perimeter  
10 edges of the landfill, but -- unit.

11           MR. HUNT: There are some trees on the  
12 face of the current landfill. There's some trees and  
13 down on the toe where the cover would have to come down  
14 because we need -- we're going to flatten out that cut,  
15 and we're going to, you know -- the -- the cap for the  
16 landfill has to come outside the limits of that -- of  
17 that boundary, and so we have to -- so we'll have some  
18 earthwork going on around the perimeter, and so there are  
19 trees that will be impacted.

20           But yeah, it's a much smaller number than  
21 on the past.

22           On your specific question, we have to make  
23 conservative assumptions in our analysis about what  
24 the -- what the runoff would be.

25           When we did the -- the field -- the field



1 evaluation of -- for surface water, the large tree  
2 removal project had already occurred --

3 MS. BLUM: Mm-hmm.

4 MR. HUNT: -- and we are also designing  
5 the channels for the landfill for multiple -- for -- for  
6 multiple criteria.

7 Some are for water quality criteria and  
8 some are for design flood criteria. So we would have  
9 quite a bit of capacity in the channel that we design so  
10 that we can handle those flows.

11 We are -- we are going to be looking at  
12 what some of the ground stream impacts might be as result  
13 of these changes. We haven't gone through all of that  
14 yet.

15 MS. BLUM: Eileen, does that -- where we  
16 had that big sinkhole, doesn't that at some point connect  
17 to -- well, it's part of the Tennessee Hollow watershed.  
18 It connects into that whole stream system --

19 MS. FANELLI: Mm-hmm.

20 MS. BLUM: -- under Quarry and MacArthur.

21 MS. FANELLI: Yeah.

22 MS. BLUM: That will have to be worked on,  
23 too. The channel will have to be extended, will it not,  
24 into the housing area? To --

25 MS. FANELLI: I'm sorry. For --

1 MS. BLUM: To manage the flow of water.

2 MS. FANELLI: They didn't identify a  
3 channel below landfill E that's defined, but they'll do  
4 the calculations if there is a need to do -- to create  
5 additional capacity there based on their calculations and  
6 we will have to do that.

7 Specifically, too, they'll look at the size  
8 of that area below area E. What is that road?

9 MR. HUNT: Hernandez.

10 MS. FANELLI: They will look at the size  
11 of that culvert to make sure that it's sized  
12 appropriately, and then there's an open space below that.

13 So they are tasked with looking downstream  
14 to make sure that there isn't a flooding condition. I  
15 don't think we would be affecting any streets, though.  
16 It's not like we're putting this through a pipe that goes  
17 down like MacArthur.

18 Fillsite 1, landfill 2 that goes down Polin  
19 Springs goes down a pipe and that can be problematic. In  
20 this case, we don't want to flood the road, but we think  
21 that the homes are high enough above a flood high water  
22 situation.

23 But it does discharge, yes, ultimately all  
24 the way down to Tennessee Hollow.

25 It is ten after.

1 FACILITATOR KERN: Have you guys concluded  
2 your presentation?

3 MR. HUNT: Yes, we have.

4 FACILITATOR KERN: I want to thank you  
5 very much for -- yes. Maybe a few more. Thanks very  
6 much for coming tonight and the work you're doing.  
7 Appreciate it.

8 MR. FORTUNA: Thanks for having us.

9 FACILITATOR KERN: I'm sure there are more  
10 questions when we begin to wait with anticipation for  
11 your report and have another conversation with you  
12 hopefully down the road.

13 Moving on to item 6 and looking to Agnes.

14 Do you have anything for us tonight?

15 MS. FARRES: Just real quickly, I wanted  
16 to mention that the water inspector will come out to  
17 inspect landfill 10, fillsite 1 hopefully by early next  
18 week. We're going to try to identify and fix any  
19 potential problems as early as possible.

20 And another item of interest is our  
21 enforcement section did pursue enforcement against HSR,  
22 which was the contractor that was doing remedial work at  
23 landfill 8 and landfill 10.

24 So we've issued an administrative civil  
25 liability complaint and we're proposing a fine, and I

1 can't remember the amount of the fine, and a hearing in  
2 front of our board in December, but that's a little bit  
3 up in the air because HSR has declared bankruptcy. So  
4 that's another problem.

5 FACILITATOR KERN: Okay. Thanks very much  
6 for your work on that, Agnes. Much appreciated.

7 MR. BERMAN: Does that mean if they're  
8 bankrupt, they don't care about losing their license?

9 MS. FARRES: Yeah. That's probably low on  
10 the totem pole at this point, yeah.

11 MR. BERMAN: Because presumably besides  
12 the fine and removal of the license, there's nothing else  
13 you can do; right?

14 MS. FARRES: Right.

15 MS. BLUM: They can become roofers, Sam.

16 MR. BERMAN: Right.

17 FACILITATOR KERN: Well, we look forward  
18 to having a DTSC representative at our meeting soon.

19 Item 7, new business. Is there any new  
20 business for the good of the order?

21 Any public comment?

22 So action items and agenda items, Mark has  
23 suggested we have another site visit in two weeks, and so  
24 we will meet at El Polin Spring at seven o'clock.

25 And we are going to be looking now at

1 landfill E more closely, getting ready for that. We'll  
2 also be monitoring with Agnes the preparations for the  
3 winter at all of these sites.

4 Those are our action items, and hopefully I  
5 can get a contact point and talk to you guys about some  
6 of the information that may be of interest.

7 Anything else for tonight?

8 MR. BERMAN: Doug, I was wondering if  
9 there will be enough daylight to make a site visit if we  
10 meet at 7:00 in two weeks. It might be more expedient to  
11 meet at 6:30 so that there would be an hour of daylight.  
12 Two weeks at out, by 7:30, it will be getting --

13 FACILITATOR KERN: Would there be any  
14 objection to meeting at 6:30? Can everybody make that?

15 That seems reasonable, then. Why don't we  
16 try for 6:30. That will give us a little more time.  
17 Thanks, Sam.

18 All right. Then. Without objection, I  
19 would like to close the meeting, but I want to thank  
20 everyone for coming tonight, and if you have the ability  
21 for five or ten minutes, we can share a little cake.

22 Thanks very much. Meeting adjourned.

23 (The meeting concluded at 9:12 PM).

24 ---o0o---

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26

1     STATE OF CALIFORNIA             )  
2     COUNTY OF SAN FRANCISCO       )

3  
4             I, the undersigned, hereby certify that the  
5     discussion in the foregoing meeting was taken at the time  
6     and place therein stated; that the foregoing is a full,  
7     true and complete record of said matter.

8             I further certify that I am not of counsel or  
9     attorney for either or any of the parties in the  
10    foregoing meeting and caption named, or in any way  
11    interested in the outcome of the cause named in said  
12    action.

13  
14                     IN WITNESS WHEREOF, I have  
15                     hereunto set my hand this  
16                     \_\_\_\_\_day of \_\_\_\_\_,  
17                     2010.

18                     \_\_\_\_\_  
19                     Mark I. Brickman CSR 5527  
20  
21  
22  
23  
24  
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, OCTOBER 12, 2010

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR RPR

License No. 5527

## ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Eileen Fanelli

Terri Thomas

Brian Ullensvang

Julie Cheever

Gloria Gee

Barbara Newton

John Chester

Jim Ketcham

Edward Callanan

Special Guest:

Mary Jo Hessler

---o0o---

BE IT REMEMBERED that, pursuant to Notice

of the Meeting, and on October 13, 2010, 7:07 PM at the

Officer's Club, Building 50, Presidio of San Francisco,

California, before me, MARK I. BRICKMAN, CSR No. 5527,

State of California, there commenced a RAB meeting under

the provisions of the Presidio Trust.

---o0o---



AGENDA

2		Page
3	1) Welcome and Introductions - Doug Kern:	4
4	2) Agenda Discussion and Approval:	4
5	3) Announcements and Old Business:	4
6	4) Committee Business	
7	A. Planning Committee Report - Mark Youngkin	4
8	5) Reports and Discussions - Eileen Fanelli	
9	A. Landfill 2, Fillsite 1 Removal Status Report	5
10	B. Landfill 2, Fillsite 1 Results of	
11	Confirmation Sampling	15
12	6) Regulatory Agency Status Updates	
13	Denise Tsuji, California DTSC - Not present	
14	Agnes Farres, California RWQCB - Not present	
15	7) New Business - None	
16	8) Public Comment - None	
17	9) Review of Action Items:	65
18	10) Agenda Items for Upcoming Committee Meeting:	66
19	11) Adjournment:	67

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1 FACILITATOR KERN: Welcome, everyone  
2 tonight. Thanks for coming out to the Restoration  
3 Advisory Board meeting for October 2010. I'd like to  
4 welcome the Trust, the Park Service and the community  
5 members of the RAB and the contractors for being here.

6 Does everybody have a copy of the agenda?  
7 Any changes, modifications? Any announcements tonight?

8 Moving rapidly on to the committee report.

9 MR. YOUNGKIN: The committee report. We  
10 had a field trip last month to the El Polin Loop. We  
11 looked at fillsite 1 through the fence there. Quite  
12 pleasant that night. We actually had some people show  
13 up.

14 FACILITATOR KERN: Indeed.

15 MS. FANELLI: How many folks came?

16 MR. YOUNGKIN: Six, maybe.

17 FACILITATOR KERN: Yeah. I would say six.

18 MR. YOUNGKIN: And we can actually have a  
19 committee meeting next month.

20 FACILITATOR KERN: No committee meeting?

21 MR. YOUNGKIN: We do have one next month.  
22 No more field trips, right?

23 FACILITATOR KERN: Oh, field trips.

24 MR. YOUNGKIN: No more field trips.

25 FACILITATOR KERN: Yeah. It is getting

1 dark and I think it may be stable at the sites, at least  
2 from what we can see, so --

3 MS. NEWTON: Until it rains.

4 MR. YOUNGKIN: Towards the end of the  
5 meeting, we'll figure out a topic for this month's  
6 Planning Committee meeting, fourth Tuesday of this month.

7 Thank you.

8 FACILITATOR KERN: Thank you, Mark.

9 Moving on to item 5, let's talk about  
10 landfill 2, fillsite 1.

11 MS. FANELLI: Okay. So I guess what I'll  
12 do is I'm just going to -- I did not bring photos of the  
13 work, but if you drive by, it's a pretty remarkable  
14 difference from what you looked at the last time you were  
15 on, and then Mary Jo Hessler from MacTec is here. She is  
16 the individual who is responsible for the collection of  
17 our confirmation samples and she can kind of give you an  
18 update on where we are there.

19 So on fillsite 1, landfill 2, we basically  
20 completed our waste excavation I would say mid-September.  
21 I would say September 14th/15th was about the time frame,  
22 and we were collecting confirmation samples as we went  
23 along.

24 Anyway, we started to do our winterization  
25 after that and we're currently about to complete landfill

1 1 by this Friday. We should have all of the  
2 winterization completed.

3 The hydroseeder will be out tomorrow hydro-  
4 seeding, and we'll be putting down our fabric and our  
5 bones, and fillsite 1 will be essentially buttoned up by  
6 the end of the week.

7 Landfill 2, we are -- are in rapid  
8 winterization and are grading to stable grades and in the  
9 process of getting our main erosion controls in place.

10 Likely that will extend to the 22nd. That  
11 is our projected completion of winterization activities  
12 at landfill 2.

13 So that's basically where we're at.

14 The contractor worked last Saturday. We  
15 authorized him to work next Saturday and potentially the  
16 next Saturday, as well, to complete the winterization.  
17 We're hoping that when we have it winterized, that we'll  
18 be able to open the trail back up.

19 There was some question earlier whether or  
20 not we'd get it graded sufficiently to open up the trail  
21 for the winter months, but that looks like that's going  
22 to happen, so we'll be able to open up the site.

23 MR. YOUNGKIN: Does that mean you'll take  
24 the fence down?

25 MS. FANELLI: We will likely relocate the

1 fence in certain areas. I at this point don't expect to  
2 see parking on the former fillsite 1 area.

3 It's flat, but we're not surfacing it for  
4 cars, so we'll leave the fence and that gate looked in  
5 that location.

6 We will likely leave certain areas of  
7 landfill 2 fenced where we're stable, but we might have  
8 it slightly steeper than we want slopes, but we would  
9 have the trail open.

10 Not in its final alignment necessarily, but  
11 so it wouldn't be, for example, meeting our standards or  
12 ADA accessible. It might be a little steep in some  
13 areas, but it will be an avenue.

14 MR. YOUNGKIN: Quarry Road?

15 MS. FANELLI: Quarry Trail. I think it  
16 hooks up and becomes -- is it called Mountain Lake Trail,  
17 the trail, Terri?

18 MS. THOMAS: Mountain Lake Trail. Ecology  
19 trail.

20 MS. FANELLI: So we're supposed to get  
21 that opened up, and I don't know if any of you saw  
22 several news stories this last week. It was about the  
23 tunnel that was uncovered in landfill 2. I think it was  
24 on KQED and there was an article in one of the local  
25 papers. Eric Blind basically facilitated a lot of those

1 discussions.

2 So we had it uncovered and opened for about  
3 a week to accommodate the archeology group. As soon as  
4 they finish that, we've since reburied it, backfilled in  
5 that area, but that's a thing to take a look for.

6 There might be links on the Presidio.gov  
7 web page.

8 MR. BERMAN: Was there anything in the  
9 tunnels at all?

10 MS. FANELLI: No. It was basically a  
11 brick facing wall and then a bore that went in. Not a  
12 huge bore, but a bore that went in several feet back, and  
13 there was some timbers, some former timber supports that  
14 they uncovered.

15 We did find more material than anticipated  
16 in landfill 2 in that area where that bore had originally  
17 been excavated. It was a little deeper, so we found that  
18 little kind of wedge that had more of the landfill 2  
19 waste materials that we dug out.

20 And so we had a little bit of increased  
21 material there, and then I think we took a little bit  
22 more out of fillsite 1, as well, in the area -- we found  
23 an area that had a lot of woody debris.

24 I think I mentioned that last time, tree  
25 debris and taking that out increased our quantities a

1     little bit there.

2                     But at this point, we believe we have all  
3     of it, all of it out.

4                     MS. HESSLER:    I brought in some figures if  
5     you want to come look at them.  This first figure is the  
6     excavation at fillsite 1, and the excavation limits we  
7     have here are the planned excavation limits, because we  
8     don't have as-builts yet, and we base -- we sampled this  
9     beginning August 12th and then we went into the next  
10    week, and we collected samples on a fifty foot grit, and  
11    that's what these grid lines are that you see here, and  
12    we collected perimeter samples at the ground surface and  
13    then inside the interior of the excavation, we collected  
14    samples at the surface and then we used the back hoe to  
15    pothole down three feet and collected a sample there, and  
16    then we ran the samples for pH's and metals and  
17    pesticides which are the contaminants of concern for the  
18    site, and we got the data back.

19                    We compared it to the cleanup levels that  
20    are based on the site land use, and this dark green area  
21    is going to be landfill.  Open space, landfill open  
22    space, we used documented cleanup levels, and this area  
23    is either going to be historic forest or planted with  
24    native plant consistent with the cleanup level, and the  
25    material that was left in place following excavation was

1 mixed.

2 In this area, there was Colma. This is  
3 over dune, and this was a mixture of serpentine gravels  
4 and sand.

5 Wherever there was serpentine gravel, we  
6 compared to serpentine level, because the nickel and  
7 petroleum ended up being in the samples.

8 When we ran those samples against the  
9 cleanup levels, we found a few metals that were slightly  
10 above cleanup levels, benzopyrene, which is a pH, and  
11 some pesticides.

12 So what we did, because they were just  
13 above cleanup levels, we thought well, you know -- and  
14 this is a mixed fill native soil mixture. We took -- we  
15 took the whole data set for all the excavation samples  
16 and then we had some samples that were collected around  
17 the excavation. We also included those.

18 We did upper confidence levels, which  
19 consist of an average concentration for those chemicals  
20 at the site, and we finished -- when we looked at that,  
21 the only thing that really showed up is a problem with  
22 DDT, and the DDT was found in the surface soil over in  
23 this part, which is the west side of the excavation, but  
24 not -- we didn't see it in the surface soil over here,  
25 and the three foot samples that we collected were beneath



1 the excavation floor. The DDT was below the cleanup  
2 levels there.

3 When we were talking with construction  
4 supervisor, there had been a lot of tree material that  
5 had been brought up through this area.

6 So there was one concept that some of this  
7 may have been derived from the overexcavation of the tree  
8 material that was brought up through here and may have  
9 been staged in this area and then moved off.

10 MR. CHESTER: So the trees being the  
11 source of the DDT?

12 MS. HESSLER: Not necessarily the trees,  
13 but maybe the soil around the trees and possibly the  
14 trees.

15 We didn't really system sample the trees,  
16 so that was anecdotally and it was sort of associated  
17 with the trees that were removed in this area.

18 So we had frequent samples that showed that  
19 DDT was not at three feet, but we wanted to make sure  
20 that we aren't overexcavating than we needed to.

21 So in a couple of locations, we went back  
22 out and collected one foot samples and ran them for  
23 pesticides. Even in this area, the one foot samples had  
24 DDT levels.

25 What we did is we recommended over-

1 excavating the areas where we found the DDT. These are  
2 25 foot radiuses that were around the excavation.

3 Up here, the one foot samples were below  
4 cleanup level, so we only one foot overexcavations here.  
5 And -- then we ran the UCLs when we finished and the DDT  
6 was below the cleanup level.

7 So we requested -- before we did the  
8 overexcavation here, we requested -- we sent the data off  
9 to DTSC and we requested authorization to start grading  
10 this part of the site because the DDT wasn't above  
11 cleanup levels and the metals weren't significantly above  
12 background or the cleanup levels for the site, and the  
13 UCLs, showed them to be below cleanup levels. So the  
14 Trust got authorization to do the winterization.

15 We've just sent off now a memo to DTSC  
16 requesting authorization to start winterizing this part  
17 of the excavation.

18 MR. BERMAN: Could you explain something I  
19 didn't quite grasp?

20 MS. HESSLER: Sure.

21 MR. BERMAN: When you elevated the  
22 material, you found some elevated metals and then you  
23 combined that with soils from outside and did an average.

24 MS. HESSLER: So what the idea is we want  
25 to look at what's the residual risk of contamination --

1 of the metals at this site, and we had data around the  
2 site.

3 So we wanted to make sure, okay. This is  
4 what is present at this site, and we had that data and we  
5 included it.

6 We used the zero to three foot depth,  
7 because those were the depths at which ecological  
8 receptors are expected to be exposed.

9 MR. BERMAN: I guess I'm missing  
10 something. You got above cleanup level at some interior  
11 points and then you got materials in soil and other --  
12 other quantities outside that are below the cleanup  
13 levels. Then you're going to blend them and come out  
14 with something which is below.

15 MS. HESSLER: There were some samples  
16 that -- this is the average of what is at the site, and  
17 some of the samples on the perimeter of the excavation  
18 were just slightly above.

19 So it was the idea of what is the residual  
20 risk from, say, nickel at this point site. You don't  
21 want to look at what's in the excavation. You want to  
22 look at what was at the edge of the excavation.

23 There were samples that were collected and  
24 here that were perimeter samples.

25 MR. BERMAN: There was no hot spot in

1       there?

2                   MS. HESSLER:    No.

3                   MR. CHESTER:    The average result you  
4       average in soil.

5                   MS. HESSLER:    For example, let's give you  
6       an example.  So nickel.  So the background level for  
7       nickel is, you know -- is one -- I have to make sure, but  
8       160, 170.

9                   So you take -- you take all the samples  
10      there and then you compare it, like the average  
11      concentration over the whole site for nickel.

12                  How does that compare to what the cleanup  
13      level is?  Because there's a lot of, you know, variance  
14      in the chemical sample population from soil types, and a  
15      lot of these samples were not significantly higher.

16                  Zinc was 70 and you had a detection of 75.  
17      Is that really meaningful?  That's why you want to look  
18      at the whole data set.  It gives you kind of an answer.

19                  MR. BERMAN:    Okay.  Would I get the same  
20      thing if I looked at all the small areas?  Some would be  
21      above and some would be below.  Then I'd do an average  
22      and ask whether -- you know, what the mean value was of  
23      all those separate samples rather than mixing the  
24      materials together.

25                  MS. HESSLER:    Well, we didn't -- we

1       didn't -- we didn't -- we could look at just the  
2       excavation samples, but as part of the Remedial Action  
3       Plan -- because there were a couple samples where zinc  
4       was slightly above cleanup level.

5               We told the DTSC that when we did the  
6       excavation, that we'd include samples that were outside,  
7       because we said well, we think that zinc, this one hit of  
8       zinc at slightly above the cleanup level isn't going to  
9       pose a significant risk.

10              So we had indicated in the Remedial Action  
11       Plan that we were going to include the other samples that  
12       were outside. So there would be a sense of what the  
13       whole risk of all the soil that was left in place at the  
14       site.

15              Because we essentially removed all the soil  
16       debris fill material from here. There is fill material  
17       that's soil fill, but we removed all the -- all the  
18       concrete and the wood and the metal and there was quite a  
19       bit of concrete in this area along with -- a considerable  
20       amount of eucalyptus waste.

21              MS. FANELLI: So the sampling was done as  
22       part of the remedial work plan, and Medi does come out on  
23       a weekly basis, and the document that was submitted is on  
24       our -- I don't know, actually.

25              I think, Doug, you got a copy of it, but we

1 can e-mail it to you all, as well, so that you can take a  
2 look at it.

3 And I think Mary Jo, you brought those UCL  
4 calculation sheets.

5 MS. HESSLER: Yeah.

6 MS. FANELLI: So if you want to take a  
7 look at them, she has an example. She has tables that we  
8 submitted. You can take a look at.

9 MS. HESSLER: So then, this is a figure  
10 for landfill 2. We're not as far along with the sampling  
11 and analysis as we are with fillsite 1.

12 Just for your -- here's Quarry Road, and  
13 then this is the down-sloped portion of the site, and we  
14 collected -- removed all of the debris and pretty much  
15 all of the soil that's remaining is native soil.

16 Most of the soil over here is serpentine  
17 and on the site it's mostly dune sand, and there's some  
18 material that might be a mixture of Colma and serpentine  
19 and metal.

20 So we compared -- we collected the samples,  
21 and all of these samples were collected at the surface.  
22 We didn't need to do any deeper sample because there's no  
23 fill material in here. So all these samples were  
24 collected at the surface.

25 And this portion at the site, there was --

1 after the excavation was -- they put a haul road. So we  
2 had to put a pothole down to get down to the floor of the  
3 excavation.

4 They had put filtered fabric and then put  
5 backfill for their haul road, but then we had to figure  
6 down through the haul road to get down to the native soil  
7 that represented the excavation, and for this -- for this  
8 site, there was quite a bit of ash material, because  
9 there had been an incinerator here.

10 So all the samples where there had been ash  
11 observed or in the area -- in the immediate area around  
12 the incinerator we analyzed for that in addition to the  
13 pesticides, metal and pH's.

14 The documents, PRNs, the best turnaround  
15 that they can get for that analysis -- because it's very  
16 complicated -- is two weeks.

17 So we are still waiting for the analyticals  
18 for that, for the site, but basically what we -- I posted  
19 the data that exceeded the cleanup levels, but again,  
20 it's samples that are just slightly above their  
21 background cleanup levels.

22 And so we haven't run UCL calculations, but  
23 based on what the data looks like, there was really only  
24 one sample that we really felt like we needed to over-  
25 excavate, and I haven't posted the data here, but there

1 was a sample down here that had really high lead and  
2 silver, which is very characteristic of the incinerator  
3 waste.

4 So we did do an overexcavation here and we  
5 collected a sample following that, and the metals results  
6 were there. They were all below the cleanup level.

7 We're waiting on the documents return for  
8 that. That's -- the results for that was also above the  
9 cleanup level. So there was a piece of material that  
10 didn't get removed, but everything else looks -- was  
11 very, very close.

12 And so we're -- we're very close to putting  
13 together a memo requesting if we can do some  
14 winterization of the site.

15 MS. FANELLI: When do we think we'll get  
16 that final data in?

17 MS. HESSLER: If overexcavation, this  
18 sample's due on October 18th, but we're only missing one  
19 sample that's due on Thursday. So we're going to have  
20 everything but that.

21 But because it was -- Brian will tell you  
22 this because he looked at this data before. There's a  
23 really strong association with the high metals and the  
24 dioxins and Furans.

25 MR. ULLENSVANG: I didn't look at this



1 data.

2 MS. HESSLER: Baker Beach 1. There's a  
3 strong correlation, and in Ian's site characterization  
4 data, we saw that, too. There was high dioxin, Furan and  
5 silver and metal.

6 When we did the excavation, the high silver  
7 and lead was no longer in the sample. We're fairly  
8 confident that this area is fine. We can't definitively  
9 state until we get the documents.

10 MR. BERMAN: When you move closer to the  
11 incinerator, you don't see that lead.

12 MS. HESSLER: Well, yeah. What was  
13 interesting is I -- the incinerator looked like a fairly  
14 new incinerator. It was clean brick. There was a lot of  
15 material deposited down here and not as much up here.

16 MR. BERMAN: So was there another  
17 incinerator down there?

18 MS. HESSLER: I don't know, but it was  
19 obviously where they disposed of a lot of incinerator  
20 waste.

21 MS. FANELLI: We don't know -- we don't  
22 think that the incinerator chimney that was there was  
23 ever used because it was clean brick. There was eight  
24 foot of material that we excavated out, and certainly the  
25 rubble or the remnants of the former incinerator might

1     have been in that mess, but it wasn't identified from an  
2     archaeological standpoint.

3                 We did have our archaeological monitors and  
4     we did have UXO monitors on-site basically the whole time  
5     we were doing monitoring, and the archeologists got their  
6     payback when we got the tunnel, and they were very  
7     excited about it.

8                 It was very exciting, and we were very  
9     happy to be able to excavate that. It would have been  
10    nice if we could have kept it open longer. Maybe some  
11    day in the future, they'll get an opportunity to re-  
12    expose it.

13                MS. THOMAS:    So they're no longer  
14    interested in keeping the incinerator onsite?

15                MS. FANELLI:   I'm not sure with that. We  
16    haven't relocated it, but I think we're going to replace  
17    it.

18                I can't comment on its historical  
19    significance. It may just be, you know, for looks, but  
20    it marks an activity that did indeed occur there.

21                MR. BERMAN:    So you think this is actually  
22    dumping of waste from the incinerator that was dumped  
23    down there?

24                MS. HESSLER:   I suspect that they actually  
25    drove along the Quarry Road and then dumped off, and --

1 and at some point, they built this newer incinerator.

2 There may have been an older incinerator.

3 MR. BERMAN: So you don't think these high  
4 concentrations of nickel and lead are really associated  
5 with that incinerator. It just happened --

6 MS. HESSLER: These are not that high.  
7 They're just slightly above the cleanup level.

8 MS. NEWTON: It doesn't look like the  
9 incinerator was ever really used. They can't be  
10 associated with that incinerator.

11 MS. HESSLER: But there was incinerator  
12 ash, quite a bit here, and there were really high --  
13 very, very high -- before we did the excavation, that  
14 were very high lead, 22,000 parts per million lead in  
15 this area.

16 MR. BERMAN: Right. And even close to the  
17 soil.

18 MS. HESSLER: Actually, it wasn't up here.  
19 It was down in this part where the very high metal  
20 concentrations were.

21 MS. FANELLI: There was obviously a good  
22 sequence of history of waste disposal there.

23 MR. BERMAN: Yeah.

24 MS. FANELLI: So right now, Quarry Trail  
25 actually doesn't exist anymore. You can't walk it. It's

1 pretty much excavated and gone, and where we're at for  
2 the rest of this week is -- I mentioned before creating a  
3 temporary trail.

4 So you kind of come in here, they're  
5 building a temporary trail that will drop down, and we're  
6 building the connector, and then you'll be able to get  
7 through.

8 What -- we're trying to make sure that  
9 that's open by the time we complete the site, and  
10 everything else will be winterized. We'll come back and  
11 do final grading next season.

12 There will be will be a retention basin at  
13 the toe. The purpose of the retention basin is to  
14 control water flow off this site to free remediation  
15 conditions.

16 So we will be putting water down from this  
17 site at the same or lesser rate than historically when it  
18 was treed and every tree was in place.

19 We're doing this on purpose as a split  
20 measure. We don't expect that basin to have a lot of  
21 water necessarily at any point in time, but it will fill  
22 up.

23 It's designed for the ten-year, one-hour  
24 storm event. It will be at a rate that high excavation  
25 event happened before.

1           We're putting sterile weed grass everywhere  
2   and we're hydroseeding fillsite 1 tomorrow. We're going  
3   to be constructing the terraces in this upper portion.

4           That's our primary erosion control, and  
5   here we're just compacting and covering with fabric  
6   temporarily, and we'll come back next year.

7           We're going to be filling more next year,  
8   as well, and we're getting that serpentine fill material  
9   from Doyle Drive.

10          So that material will be stockpiled at Pop  
11   Hicks Field along with some other of the good silty sand,  
12   sandy loams from Doyle Drive, and we'll do the final  
13   grading next year.

14          MR. KETCHAM:   Is it going to be fenced  
15   off?

16          MS. FANELLI:   We're going to open the  
17   trail, but there may be locations where we keep the fence  
18   if it's slightly steep. We're going to have it opened  
19   up.

20          MS. CHEEVER:   Until it's planted next  
21   year?

22          MS. FANELLI:   Along with hydro mulch in  
23   some areas and fabric and wattles and all the wattles are  
24   the biodegradable. We had a little hiccup. We inspected  
25   it and God forbid there was plastic in it. Even though

1     it was photo degradable and plastic, we degraded it. He  
2     better be differing some stuff onsite.

3                   MS. CHEEVER:   Does hydroseeded grass grow  
4     before the rains start?

5                   MS. FANELLI:   No. It won't grow before  
6     the rain starts. If it doesn't rain, some of it may not  
7     grow. I expect that it will.

8                   MR. KETCHAM:   So what's the plan for next  
9     year?

10                  MS. FANELLI:   So next year, a group at the  
11     Trust, which includes Terri's group and it includes  
12     Allison Stone's, the planning group and ourselves, we are  
13     going to do three things.

14                  We have done a geologic map of the site  
15     before we started winterization, and actually I can get  
16     people a copy of that, but we had RG come out and map the  
17     site, and the site is primarily -- I know Mary Jo was  
18     saying, but he mapped it with solid serpentinite  
19     everywhere with some slope fill and debris in there.

20                  We're going to take that. We had a company  
21     that we talked about before, H.T. Harvey, which are an  
22     environmental -- a natural resources firm, they're going  
23     out and they're looking at our winterized slopes and  
24     they're evaluating the exposed soils and making some  
25     recommendations for the natural resources department

1 primarily in term of restoration.

2 So what are these soils like? What are  
3 they lacking? What do they need? We'll also do a topo  
4 map of the existing site.

5 Internally, we're going to sit down with  
6 the topo map, the geological information, the soils  
7 information and the goals and objectives of the natural  
8 resources department and the Planning Department and  
9 hopefully come up with whatever that final grading plan  
10 is going to look like, and then we'll put it into again a  
11 set of plans and specifications and hopefully be prepared  
12 to construct that early next season.

13 MR. BERMAN: That's the terracing that  
14 you're talking about, also?

15 MS. FANELLI: It includes the terracing.  
16 Some of the terraces will be constructed next year.

17 MR. KETCHAM: When you say early next  
18 season, next spring?

19 MS. FANELLI: Next spring.

20 MR. KETCHAM: So March-April of 2011?

21 MS. FANELLI: It's not supposed to be a  
22 wet year. Knock on wood. But we'll see how that goes.

23 And -- and make all those changes and  
24 modifications.

25 Definitely the stream channel, we're kind

1 of rough grading it in, but it's certainly not going to  
2 be completed this year at all. So that will need to be  
3 modified and changed.

4 MR. BERMAN: How deep is that cavern that  
5 stores the water?

6 MS. FANELLI: The tunnel.

7 MS. HESSLER: You mean the retention pond?

8 MS. FANELLI: Oh, it's only about two or  
9 three feet deep, three feet deep. It's not a deep pond.  
10 It's sort of a wide area that will hold water back.

11 MR. BERMAN: And it's all going to be  
12 fenced off?

13 MS. FANELLI: That's a good question. I  
14 don't I think that we're fencing it per se circular,  
15 because we don't anticipate that it's going to hold  
16 water, except during an actual rain event that it comes  
17 in.

18 MS. NEWTON: It's a low spot.

19 MS. FANELLI: It's a continuous discharge  
20 pipe. The pipe will meter it out at the previous ten-  
21 year one-hour event rate.

22 So if it's a lesser event than that, it  
23 should just drain, and if it's a higher event, then we'll  
24 get some ponding, but it would eventually meter itself  
25 out.



1                   But that's a very good point, Sam. If we  
2                   see that it is retaining water, we would likely try to  
3                   fence it so that it wasn't a safety hazard.

4                   MR. YOUNGKIN:    What about the water flow  
5                   through in there? Did you learn anything about hydrology  
6                   from the excavation and --

7                   MS. FANELLI:    There is -- there is  
8                   definitely seepage out of the serpentinite, natural  
9                   seepage and it will hopefully continue then to seep and  
10                  then go downstream.

11                  Maybe Terri could talk about it. There's  
12                  an area below the site that's kind of flat that is a  
13                  future -- it's a potential wetland and hopefully will be  
14                  a restored wetland in the future.

15                  MS. THOMAS:    It was in our report, a  
16                  jurisdictional wetland. We're not actually -- we're not  
17                  actually delineating it at this point in time because  
18                  it's kind of still part of the CERCLA program, but what  
19                  we're hoping is that that will -- yeah. Probably be  
20                  enhanced afterwards, because the flow through that area  
21                  will be enhanced, and assuming that it was in a place  
22                  like that before, the area down there seems to have been  
23                  underwater.

24                  So we're still gathering information,  
25                  but --

1                   MR. YOUNGKIN:   It seems like you found the  
2   gully where water used to come down through the valley  
3   or --

4                   MS. THOMAS:   Well, we have the old topo  
5   map.  That's about all we -- and actually, the last --  
6   the last drawing I saw pretty much showed the creek  
7   following, at least the lower part of it that we could do  
8   it, following almost the 1871 topo line --

9                   MS. FANELLI:   Mm-hmm.

10                  MS. THOMAS:   -- through there.

11                  MS. FANELLI:   I think the one thing that  
12   we did is where we did the tunnel is sort of in this  
13   area, and so there's a deep gouge over here that doesn't  
14   align itself with the historic creek channel.

15                  MS. THOMAS:   They have it parallel, which  
16   is very interesting.  They have the creek channel and  
17   then they have another thing next to it, and we just  
18   always assumed it was the tunnel and then found it.

19                  MS. FANELLI:   So that's going to be filled  
20   up, and this creek is -- I think it is being restored  
21   basically on the historical.

22                  MS. THOMAS:   Pretty close.  It was just so  
23   steep.

24                  MR. YOUNGKIN:   Is there water coming out  
25   of the tunnel?

1 MS. FANELLI: No. There was no water  
2 coming out of the tunnel. There was water coming out of  
3 the rock around the tunnel.

4 MS. HESSLER: There's a seep coming in and  
5 filling up with water.

6 MS. THOMAS: The tunnel was supposed to be  
7 draining Mountain Lake. It wasn't supposed to be -- not  
8 draining Mountain Lake, but there was supposed to be a  
9 continuous flow from Mountain Lake.

10 It was once thought that Mountain Lake was  
11 spring fed. It didn't work.

12 MR. YOUNGKIN: So what looked like a  
13 little canyon going up there was just a trench  
14 excavation, so that's what you took out.

15 MS. FANELLI: (Nods head affirmatively).

16 FACILITATOR KERN: I wonder if we could  
17 rewind a little bit.

18 MS. HESSLER: Sure.

19 FACILITATOR KERN: I wonder if you could  
20 maybe point to samples where there were original analytes  
21 above cleanup levels.

22 MS. HESSLER: This is it.

23 FACILITATOR KERN: So this is the latest.

24 MS. HESSLER: Yeah. This is what's  
25 remaining. So if we screen back the samples that were

1 overexcavated, because -- this is what's remaining, and  
2 the memorandum will tell you which -- in some cases, we  
3 were screening against background, and in some cases, we  
4 were screening against Colma background.

5 So it depended on whether we saw  
6 serpentinite gravel in this sample. That's what's on  
7 here.

8 MR. YOUNGKIN: There was lead at 800 in  
9 here somewhere; right?

10 MS. FANELLI: Before excavation.

11 MS. HESSLER: Yeah. We have 200 here.

12 MR. YOUNGKIN: I thought one of the  
13 confirmation samples had an 800 for lead or something.

14 MS. HESSLER: 200 here.

15 MR. BERMAN: That was before excavation;  
16 right?

17 MR. YOUNGKIN: That was confirmation  
18 sample.

19 MS. HESSLER: But we have -- this is  
20 before excavation. We did a maximum and minimum  
21 concentration that you can see them here. What we have  
22 is -- what we did is we collected -- we ran UCLs for the  
23 compounds that exceeded cleanup levels in any sample and  
24 we did the maximum and the minimum for the whole data  
25 set, including the samples that were on the perimeter.

1       Then we did a UCL.

2                   And then the next table is the DDT in the  
3       eastern portion and then the next table is the DDT  
4       following overexcavation, because we already knew that it  
5       was elevated.

6                   You can see the maximum concentrations.  So  
7       the highest concentration -- so anyway, that's where we  
8       are.

9                   MR. YOUNGKIN:    What's lead on there.

10                  MS. HESSLER:    It was overexcavated, so  
11       it's not on here.  So this isn't going to show the pre --  
12       pre-overexcavation samples.

13                  MR. CHESTER:    Those are discrete samples  
14       results --

15                  MS. HESSLER:    Mm-hmm.

16                  MR. CHESTER:    -- remaining after your last  
17       removal.

18                  MS. HESSLER:    Mm-hmm.

19                  FACILITATOR KERN:  So I guess you would  
20       agree it does depend on the data set how the result comes  
21       out.

22                  MS. HESSLER:    Yeah.

23                  FACILITATOR KERN:  I think that's what you  
24       were getting at, Sam.  Now I'm kind of scanning this and  
25       I'm seeing arsenic, arsenic, arsenic, arsenic, arsenic,

1       arsenic --

2                   MS. HESSLER:    But you have to remember  
3       we're overposting the exceedences.

4                   FACILITATOR KERN:   That's what I'm trying  
5       to -- arsenic is in a lot of these.

6                   MS. HESSLER:    Yeah.

7                   FACILITATOR KERN:   Why was that the  
8       decision to -- I mean, when I scan this, I'm seeing a lot  
9       of arsenic levels.   So what was the thinking.

10                  MS. HESSLER:    The range -- the over-  
11       excavation range of concentrations for arsenic ranged  
12       from 2.2 to 13, and the UCL was 5.039.

13                  So that's well -- that's below the  
14       serpentine background, which is 5.4 and below the Colma  
15       background, which is 6.2.   The average concentration of  
16       arsenic across the site was not elevated relative to the  
17       backgrounds of the soil types.

18                  FACILITATOR KERN:   So these are above the  
19       UCL, but below --

20                  MS. HESSLER:    These are above the cleanup  
21       level for that soil type.   For example, I posted this  
22       because I compared this in serpentinite.   Colma  
23       background is 6.4.

24                  So it's anything -- for that sample for  
25       that soil type, for that cleanup level, it exceeded that

1 at that point, but this isn't exceeding the UCL.

2 This is just the individual point compared  
3 to their individual cleanup levels, and the UCLs that we  
4 calculated -- this is before we overexcavate. This is  
5 sort of how we came up with just looking at the DDT.

6 MR. BERMAN: It's just a puzzle. It's the  
7 methodology that seems to be -- a mystery.

8 MS. HESSLER: So the concept of doing a  
9 UCL, upper confidence limit, the idea is a receptor's not  
10 going to sit and stand at this particular site.

11 MR. BERMAN: Right.

12 MS. HESSLER: It's going to spend this  
13 time over this range, and what is the concentration of  
14 that chemical that somebody could be exposed to at the  
15 overall site.

16 MR. BERMAN: I understand that, but that  
17 means sort of the radius of the domain that you average  
18 over has to be consistent with some kind of receptor's  
19 way of life.

20 MS. HESSLER: Yeah.

21 MR. BERMAN: So you take that information,  
22 that defines your boundary and then you do your averaging  
23 based on that.

24 MS. HESSLER: Yeah, and we picked the  
25 whole data -- we picked the whole site and the whole data

1 set because we wanted to be -- find out is there anything  
2 over the whole site.

3 Because we would eventually subdivide it  
4 based on soil type and cleanup level and then it would be  
5 a smaller data set.

6 But we were trying to figure out what do we  
7 really need to focus on, because when we dug this up, we  
8 have a couple of exceedences. Which is really standing  
9 out.

10 It was really obvious that the DDT was  
11 being elevated. That was really what we needed to  
12 target.

13 MS. FANELLI: The use of UCLs, Sam, has  
14 been described in our RAP and the F/S that was completed.  
15 It's all consistent with how we've handled this in the  
16 past.

17 MR. BERMAN: I understand that, but you  
18 could combine the data in different ways and then apply  
19 the UCL process to it, right?

20 MS. HESSLER: Yeah.

21 MS. FANELLI: Sure, but we normally apply  
22 it to the entire site. So fillsite 1, we don't combine  
23 fillsite 1 and landfill 2, for example. We've just done  
24 fillsite 1 to make sure that we've cleaned up all the  
25 target analyzed.



1 I think the DDT was kind of a surprise to  
2 us, too.

3 MS. HESSLER: Because our previous data  
4 hadn't shown it over there, and it was basically from  
5 having dug the trees out and they were staged here and  
6 staged up here.

7 MR. BERMAN: Is there any way that you can  
8 sort of tell what the age of the DDT is?

9 MS. HESSLER: The age of the DDT? I  
10 probably could if I did a study, but not looking at the  
11 data I have now, no.

12 MR. BERMAN: Just to support your  
13 hypothesis, it's relatively new there and from the tree  
14 removal.

15 MS. HESSLER: Well, I have previous  
16 samples in this area.

17 MR. BERMAN: You didn't see any.

18 MS. HESSLER: This is the perimeter,  
19 because we didn't see cleanup levels for the DDT level,  
20 because we did the grid level up here. It didn't have  
21 sand material, debris material.

22 FACILITATOR KERN: What's the -- what was  
23 the thinking about these -- the Cobalt detections.

24 MS. HESSLER: Cobalt is in serpentine.  
25 It's a serpentine metal. The cleanup level for Cobalt in

1 Colma is 20, but it's much higher in serpentine soil.

2 I can't tell you what it is at this moment,  
3 but it's well above 20.

4 FACILITATOR KERN: So here's a Cobalt at  
5 65.

6 MS. HESSLER: But there is serpentine  
7 right through here. So there's going to be some mixing  
8 of the soils.

9 FACILITATOR KERN: So on this side, it's  
10 my recollection that this was kind of the brown color  
11 Colma?

12 I would agree down deep in the trench over  
13 here, there was -- is that where this is from and out of  
14 the serpentine?

15 MS. HESSLER: This up here is dune sand.  
16 This is -- the serpentine.

17 MS. FANELLI: The full bottom was mapped  
18 as serpentine. Actually no formal Colma was mapped by  
19 the geologist in landfill 2.

20 What the geologist mapped was a highly  
21 weathered, sarcolytic serpentine soil layer. It's wedded  
22 to the point of being a sarcolyte, and it is brown. It  
23 kind of looks like Cola when you first look at it. He  
24 did his map and he did soil horizons.

25 He did serpentinite bedrock, slightly

1 weathered. It was a mixture of dune sand, maybe some  
2 chunks of Colma, some chunks of more competent  
3 serpentinite above that and then dune sand primarily on  
4 top.

5 So we actually at -- I was just looking at  
6 his map and I don't think he mapped any Colma in landfill  
7 2.

8 MS. HESSLER: We're using Colma -- we're  
9 using Colma for the cleanup level for dune sand because  
10 they're very similar technically.

11 MS. FANELLI: There is some mixture,  
12 because some slope wash and ravine fill that is clearly  
13 derived from upslope that was deposited in there from  
14 what we're seeing. But the bedrock is pretty much all  
15 serpentinite.

16 FACILITATOR KERN: I'm not familiar with  
17 this notation, TCBE.

18 MS. HESSLER: What happened is we have the  
19 dioxin results for this part of the excavation, but we  
20 didn't have it for this, and we do TEQ calculations and  
21 we take -- there's -- you take all the dioxins and Furans  
22 that are detected and you use a factor to equalize them  
23 against TCED, which is most toxic and you do a  
24 calculation, so you can compare it to one cleanup level.

25 And so this sample was just above the

1 cleanup level, because the cleanup level's one times ten  
2 minus -- ten to minus six and this is 1.7.

3 So we're waiting until we get all the data  
4 and decide if that merits removal because it's just  
5 slightly above the cleanup level.

6 The other calculations that we've done, a  
7 lot of the samples were in order of magnitude below the  
8 cleanup level. They're ten to minus seven, ten to minus  
9 six. Dioxin and Furan level, we don't have all of it.

10 FACILITATOR KERN: I'm absolutely thrilled  
11 with all the removal. I mean, I watched it, you know,  
12 pretty much every other day and I'm totally happy with  
13 that.

14 It just seems prudent to -- if you've done  
15 all this work to make sure you get even the last --

16 MS. HESSLER: Yeah.

17 FACILITATOR KERN: -- residual bits.

18 MS. HESSLER: We did remove this area  
19 because it was pretty obvious, and I didn't even have to  
20 document for the dioxin/Furan results, but we want to  
21 wait and get all of the data and look at it as a whole  
22 again before we decide if there's any residual risk  
23 from --

24 MR. BERMAN: So all the nickel that was  
25 found in there is native?

1 MS. HESSLER: There's very high nickel in  
2 serpentine. If you've got serpentine fragments, little  
3 pieces or somewhere percolating down, it's going to  
4 affect that.

5 Because this is a big -- this is an outcrop  
6 of serpentine soil here, and then the dune sand kind of  
7 overlies on top of it. So there's going to be some  
8 mixing.

9 FACILITATOR KERN: I may have only seen  
10 this from a distance, but I thought I noticed some  
11 excavation going on down in this area and bringing that  
12 soil over to fillsite 1.

13 Was that -- is that possible?

14 MS. FANELLI: Which area? I'm sorry.

15 FACILITATOR KERN: It looked like on  
16 Friday, there was some soil being removed from this area  
17 and put in dump trucks and being brought over here.

18 MS. FANELLI: There's -- access road --  
19 there used to be two access roads that came in here. We  
20 called it the runway. That material was fillsite 1  
21 material.

22 That was excavated Friday and probably  
23 Saturday and it was used to fill the very deep bottom  
24 reaches of this area.

25 FACILITATOR KERN: What was the soil that

1 was being dumped on top of fillsite 1?

2 MS. FANELLI: Fillsite 1 was backfilled  
3 using cut and fill from this area here. We dropped this  
4 elevation a good six feet and that was rough grades for  
5 future recreational ballfields out of Allison's group for  
6 trails, and we still had a net need, because we took out  
7 probably 2,000 yards more than we thought in this area  
8 because of the trees that we dug out.

9 So the majority of the site -- and actually  
10 Terri can speak to this, because I know there was some  
11 concern earlier on about a week or so ago.

12 We had a deep hole here, a deep hole here  
13 and then we had fill hit. It was primarily serpentine  
14 fill, chunky serpentine fill.

15 That fill we had to cut to get to these --  
16 to our grades for stability.

17 We pushed that serpentine into the deeper  
18 holes, and the majority of the fill here is some really  
19 lovely stuff from Doyle Drive. It's the Colma silty  
20 sand, sandy loams.

21 It's a subsoil, and we brought in several  
22 thousand yards to backfill these areas.

23 This is the small area now in the center  
24 here where that was the original excavation surface. We  
25 didn't have to cut that any deeper. That's the fill

1 material that was in this area, anyway, that's exposed.

2 So we have some native Colma and then Colma  
3 that we've imported basically surrounding it, except for  
4 this little area, which is the fill from the surrounding  
5 fillsite 1.

6 MS. NEWTON: Was that just a nice  
7 coincidence that you got the stuff from Doyle Drive? You  
8 couldn't have known you were going to get that.

9 MS. FANELLI: Well, we did know that we  
10 were going to get some. We just didn't know if the  
11 timing was actually going to work out perfectly.

12 MR. BERMAN: And that soil doesn't have  
13 any lead?

14 MS. FANELLI: No. There's surface soil.  
15 When Doyle went through, they did a study. They looked  
16 at the upper two feet by the highway that certainly has a  
17 lot of aerial deposit, and Doyle is collecting that and  
18 hauling that offsite.

19 So we have done our sampling and they've  
20 done sampling and tested this material. So it's all good  
21 material.

22 MR. BERMAN: So they took off the lead  
23 layer.

24 MS. FANELLI: They certainly did.

25 FACILITATOR KERN: So how thick of a layer

1 is this Colma silty sand that you described?

2 MS. FANELLI: It varies everywhere. It's  
3 as deep as five, six feet in some locations. I'd have to  
4 ask Shannon Wright exactly, but that's information that  
5 we'll be considering when we do the final analysis of  
6 what that planting's going to look like.

7 But here there's none, so zero to several  
8 feet, many feet on these lower deeper reaches.

9 FACILITATOR KERN: Yeah. I'm just  
10 wondering how that soil is connected with the eventual  
11 restoration plan, and then, you know, what kind of  
12 consultations may have gone in or been involved with that  
13 soil type.

14 Because this is going to be a native plant,  
15 so --

16 MS. FANELLI: I don't think the final  
17 native plans are completed yet.

18 MS. THOMAS: It is a native plant zone,  
19 but if there are areas that we -- for example, we're  
20 really hoping that this area where they exposed some  
21 really nice native sand, native sand species, that this  
22 area over here where they've exposed some native Colma  
23 species, but where that serpentinite fill and other fill  
24 is in there, we're anticipating making that not  
25 necessarily a full community associated with the



1 particular geology, but just native plant.

2 And so that we may not call native plant  
3 community anymore. We'd call it -- this is where we'd  
4 had meetings with wildlife ecologists on.

5 We'll do a mixture of woodland species and  
6 actually amend the soil just like in forestry. So it  
7 would be like the historic forest boundary and we'd have  
8 this wildlife woodland associated with all the good stuff  
9 in El Polin and the water springs.

10 We'd probably call that literally by the  
11 VMP Landscape zone. I know some of you may not  
12 understand that, but we would actually call that a  
13 landscape zone and not necessarily a native zone. It  
14 would have great natural resource value.

15 FACILITATOR KERN: I'm just trying to get  
16 a handle on things like the rock, line trench and the  
17 soil and the relation to the eventual plan, how permanent  
18 is that and --

19 MS. FANELLI: I don't think any of it's  
20 decided. As we spoke earlier, we have a geologic map, we  
21 have H.G. Harvey's work.

22 The Trust is sitting down to make those  
23 decisions about how it's going to be finally restored,  
24 what kind of planting where, whether irrigation's  
25 necessary, what amendments are necessary, if any, and how

1     that's going to look for fillsite 1 and portions of  
2     landfill 2, as well, I guess, and the area in between, to  
3     the extent there's a desire to modify or do something to  
4     the area in between.

5                 So that is a plan that is not completed  
6     yet.

7                 MS. THOMAS:   Kind of like we couldn't do  
8     it until we had the geology map and all that.  I  
9     understand there will be final gradings on both sides  
10    next spring.

11                MS. FANELLI:   Right.

12                MS. THOMAS:   Nothing is finalized for me.

13                MS. FANELLI:   That's the whole plan.  
14    There may not be a lot of grading.  It depends on what we  
15    need to do, but that rock lined channel, as we've talked  
16    about before, is an erosion control feature.

17                We're making sure that we are collecting  
18    and managing water on the site so we don't get erosion.  
19    We're not trying to tweak this in a way to get to a final  
20    sort of flow status.

21                So my expectation is that would come out as  
22    part of final restoration depending on -- on what the  
23    deal is, what it looks like.

24                This part is still forest, and so I'm not  
25    sure we understand exactly how that's going to be laid

1 out or what kind of trees.

2 I'm guessing it's the same time of trees  
3 here, the torrey pine and others, but what his -- his  
4 Peter Erlich's needs are going to be in that upper reach.

5 FACILITATOR KERN: Back to the trench.  
6 I'm wondering once this was excavated, and you need a  
7 moment to pause and consider what you're going to do,  
8 were there any other options that you considered other  
9 than putting that rock?

10 MS. FANELLI: No. There absolutely wasn't  
11 really. I mean, when we go into construction, we went in  
12 with a final grading plan, and that final grading plan  
13 did not change from before or after because that's not  
14 really how you construct.

15 We actually feel we've done better because  
16 we've been able to import much more higher quality sub-  
17 soils than just using this fill material to backfill  
18 everything.

19 So we think we've got a benefit, but  
20 truthfully, we don't approach construction, see what we  
21 have and then run around and change our plans, unless  
22 there's really a real good reason to do it, and we didn't  
23 have that real good reason to do it.

24 One is because we don't have time, and a  
25 construction contract's a lot more difficult to manage,

1 leads to increased cost and we have regulatory approvals  
2 and we have storm water approvals, and that rock channel  
3 is part of our split measures that puts us in substantial  
4 compliance with the general construction permit that was  
5 approved by the Regional Water Quality Control Board.

6 So all of those factors, we didn't modify  
7 it because it's not that simple of a thing to modify  
8 during construction.

9 FACILITATOR KERN: How would this grade  
10 then be possibly changed during a restoration plan and  
11 what kind of planning is going to go into that since  
12 it's -- I don't know.

13 Maybe it's just my imagination, but in some  
14 sense, the grade has kind of been set given a lot of the  
15 filling that's been done.

16 I mean, how could --

17 MS. FANELLI: It could be changed in many  
18 different ways. You could bring in more fill. You could  
19 push it around and not have that same structure. You  
20 could build terraces here for the trees if you want to  
21 have looser soils.

22 There's all sorts of different ways that it  
23 could be reconfigured in order to achieve our goals, and  
24 as you do that analysis, obviously you have hydraulic  
25 engineers looking at the surface water flows and the

1     grades to make sure that you're not creating an erosion  
2     problem.

3                     And in particular, there's an issue here  
4     that will ultimately have to be addressed by the  
5     ballfield folks, because we have a little swimming pool  
6     structure going here.

7                     So when they do their design for the Paul  
8     Goode Field improvements, they're going to be  
9     reconfiguring a lot of drainage over here, because right  
10    now, that drainage is still coming down this direction.

11                    So all those different decisions and the  
12    hydraulics, there could be lots of ways to change it.

13                    FACILITATOR KERN:   Well, thank you for  
14    that answer.  I'm really trying to get at a vision for  
15    the site that was -- generally this was going to be a  
16    natural area, and it's clearly been -- you know, you're  
17    getting ready to keep it stable for the winter, and I  
18    understand that, and I'm really curious what the  
19    planning -- maybe you don't know, but how to go from the  
20    configuration it is now to something that actually would  
21    be more of a nature landscape and what's the process.

22                    How is that going to be --

23                    MS. FANELLI:   There's internal meetings  
24    and it will I guess follow the VMP.  This is forest zone  
25    and this is woodland or landscape, natural plants

1 combination zone.

2 So I guess that's going to be worked out.

3 MS. THOMAS: There was a suggestion in  
4 Eileen's hydrology report that would lead us to a more  
5 natural situation that the Williams & Associates  
6 recommended as a possibility for next time, too, which  
7 was interesting.

8 One of the reasons for that rock lined  
9 ditch is there's some water coming off Julius Kahn  
10 Playground in the culvert.

11 MS. FANELLI: There's two culverts in here  
12 that are actually throwing rock below it. There's two  
13 pipes that come off here.

14 MS. THOMAS: There's a real concern there.  
15 It's not under Presidio Trust management. They did say  
16 an alternative for the future was to build a small  
17 retention basin or get the City to better have some  
18 slowdown features into that pipe so that a more disbursed  
19 natural drainage would be happening outside of that pipe  
20 so that we didn't have to be concerned as much with that  
21 water.

22 So have it fixed at the upper end so we  
23 don't have that strong of a flow coming into it, and then  
24 that would allow us to get rid of the rock lined channel,  
25 and then the topography is open for discussion, and of

1 course what is generally used is the original like 1871  
2 topo, the topos that somehow in the past used to actually  
3 be there as well as what the stability of the slope under  
4 the different soil regime, and like Eileen said, we just  
5 haven't had all the information because all the material  
6 wasn't out.

7 So hopefully there will be some input. We  
8 are starting with the charrette to see how that works, an  
9 internal charrette, and we have had a public charrette,  
10 that wildlife portion to see what exactly the wildlife  
11 specialists of the Trust would have to say on that one.  
12 So we'll see how that goes.

13 FACILITATOR KERN: It just seems that the  
14 design of this now is much more available, I mean, for  
15 people to visualize what it's going to be and the moving  
16 around of soil.

17 It's just interesting to me to look at  
18 what's underneath it and what -- I'm trying to relate  
19 what -- what we're leaving behind and how the future  
20 movement of soils might happen.

21 If you get out there with a bulldozer and  
22 cut down into some areas where we're -- what's going to  
23 be the result of that? Because it can change the spacial  
24 relationship of those where you've left it.

25 So --

1                   MR. BERMAN:   Doug, you have to trust the  
2   Trust.

3                   FACILITATOR KERN:   I'm kind of hand waving  
4   because I'm just looking at this MacTec form at the  
5   moment. I think the design of this is really important,  
6   how that works with the ballfield and the parking and all  
7   of this.

8                   MS. NEWTON:   You're talking about an  
9   aesthetic standpoint, not a cleanup standpoint.

10                  MR. BERMAN:   Just to put words in for  
11   Doug, if you modify that -- the landfill with the  
12   fillsite 1 area with sufficient new grading, it could  
13   change the configuration.

14                  MS. FANELLI:   There's a lot of competing  
15   issues that the Trust needs to work out. There's a trail  
16   that goes through here and how do you control water  
17   around the trail.

18                  Because trails -- you don't want them  
19   mucky. You need to make sure water passes correctly from  
20   one side to the other. This is a landscape area with the  
21   ballfield.

22                  Probably I suspect there will be a series.  
23   When this is designed and constructed, there will be  
24   modifications of storm water separate from some of the  
25   activity over here, as well, and it might even require



1     some changes to the storm drainage in the street, because  
2     that's part of the equations that we have an old Army  
3     drainage system that doesn't necessarily meet current  
4     standards and is able to hold all the water that you  
5     would want to put down there.

6                 So I think there's a lot of things that  
7     have to be balanced to make it aesthetic and to meet all  
8     of its multi uses, and it's just such a highly altered  
9     area.

10                The geology report actually talks a little  
11    bit about that, because the geologist did some research  
12    in describing it, what's left there and what you see.

13                FACILITATOR KERN:    I think there's the  
14    possibility for unintended consequences in the -- that's  
15    why I'm really nervous about the site right now.  I think  
16    it's got a certain feel that it's stabilizing.

17                Like I said, I understand that, but when  
18    you -- I mean, I can't say in the fifteen, twenty years  
19    I've been looking at restoration sites, how things happen  
20    that you don't expect, and I would just really like to  
21    see more a plan how that connects with the ballfield and  
22    I just --

23                MR. KETCHAM:    It's a big mystery, right?  
24    The Trust doesn't explain what the process is for going  
25    from where we are in a project like this to an end state.

1                   Where is there going to be a preliminary  
2   design that you can look at and get a feel for? Where is  
3   there going to be opportunity for the public to comment?  
4   Where is there going to be revisions?

5                   You know, it's just a big mystery. And so  
6   it would be great if Allison or whoever's in charge of  
7   this area could sort of lay that out so you could say,  
8   "Oh, I see. Okay."

9                   There's going to be a lot of thinking going  
10  on internally, and then there's going to be an unveiling  
11  sort of with the description of how you sort of see it at  
12  some basic level, and then a month for public comment to  
13  see if that, you know, has any huge problem -- has any  
14  huge problems with it.

15                  But no one says anything.

16                  MS. THOMAS: Maybe it would be good for  
17  Allison to come and give a ten-minute presentation on the  
18  Tennessee Hollow EA. It really hasn't changed that.

19                  MS. FANELLI: It really hasn't. I guess  
20  you're asking about the individual designed pieces.  
21  There's anxiety around the individually designed pieces.

22                  MR. KETCHAM: Right.

23                  MS. FANELLI: Obviously our grading plan  
24  was part of the public documents. I mean, it was out  
25  there, how we're leaving it in terms of this interim

1 condition.

2 FACILITATOR KERN: I think one of the  
3 things that I'm thinking about was, say, Baker Beach 3.  
4 We talked about that design for quite a while.

5 Maybe we didn't have the luxury -- I think  
6 we did comment on the rock lined trench when you showed  
7 it to us for this site.

8 But Baker Beach 3 with all the discussion  
9 turns out to be a pretty neat site. I mean, it's a --  
10 the hydrology is working as expected.

11 I don't have that same -- I mean, I had the  
12 vision for what it is currently for stable winter, but I  
13 don't have the vision for down the road, which it seems  
14 like we need to know what that's going to be or be able  
15 to talk about the ideas for it.

16 There's so many people that have really  
17 good experience that you might benefit from if they just  
18 knew what was going to happen.

19 MR. BERMAN: On a more practical question,  
20 is there any chance that the runoff from Julius Kahn  
21 could upset any of the winter preparations that you've  
22 done?

23 MS. FANELLI: I hope not. We've designed  
24 them to handle run-on to the sites and to make sure we  
25 don't have erosion events and to make sure that we

1 discharge water at the El Polin Spring in a way that  
2 isn't any different than pre-remediation so that we don't  
3 upset that element of the hydrology down there, and  
4 that's taken into account not flooding or otherwise  
5 disturbing the residents that are down there, not  
6 aggravating the fact that we have small pipes as it is.

7           So no, I won't say that our -- let me put  
8 it this way: I will say that our erosion measures are  
9 relatively robust, but you all remember the rough winter  
10 that we had last year, and we certainly don't want to  
11 relive that.

12           So we're erring on the side of safety and  
13 our erosion control plans are vetted with both DTSC and  
14 the Regional Water Quality Control Board.

15           The Water Board was out at the site and  
16 actually asked us to put in something more robust that we  
17 think is really over the top. I shouldn't put that on  
18 the tape.

19           We're in discussions of basins and concepts  
20 like that, which would have a real impact on the  
21 downstream natural resources if we were to actually  
22 construct them.

23           So we're working with Water Board to not do  
24 that and to make sure that we are comfortable and we  
25 convince them that we're able to safely manage runoff

1 from the site, both until we're done and then after we're  
2 done for the season.

3 FACILITATOR KERN: I -- I really  
4 appreciate that DTSC and the Water Board are involved. I  
5 can also say that they have sort of a limited time on the  
6 site compared to people that have worked here for many  
7 years, and I still would posit that you would gain from  
8 some of those people's experience.

9 MS. FANELLI: I can give you some  
10 additional information if you'd like on landfill E. We  
11 issued a data report to DTSC on Friday and it should be  
12 posted on our electronic correspondence library.

13 Genevieve might have done it today. It  
14 should be tomorrow, and I know a hard copy's being mailed  
15 to Doug's attention. We would have had it posted sooner,  
16 but Geosyntec, it's the first time they've done a report  
17 for us. They didn't understand how we get notices on  
18 Disk.

19 The data report for landfill E is issued,  
20 and you should be getting that and you can take a look at  
21 it. It should be available to you as soon as tomorrow.

22 MR. BERMAN: Were there any surprises?

23 MS. FANELLI: Not that we didn't talk  
24 about. We talked about basically all of the data last  
25 month when Geosyntec was here, and so it gives you the

1 details.

2 I know I was interested in seeing those  
3 details for the landfill gas and for the groundwater  
4 monitoring water quality data.

5 FACILITATOR KERN: I recall from when  
6 consultants were here, they were talking about like the  
7 gas being not such a concern.

8 I was wondering -- they were talking about  
9 like the active landfills might have forty percent  
10 methane, something like that, and I'm just wondering,  
11 since we know it's not an active landfill, but it still  
12 has methane, do you have any thoughts about -- they  
13 seemed to indicate that wasn't really a hazard. They  
14 were talking about thirteen percent methane in some of  
15 the locations.

16 MS. FANELLI: I don't remember the exact  
17 numbers at all. Methane is regulated. There's -- they  
18 look at it in a variety of ways, but in particular, you  
19 look as it's venting at a point source.

20 Whether it's going to be a hazard from  
21 either being able to -- to burn or because it's at health  
22 levels in the breathing zone, and their analysis, if you  
23 remember of the surface of the landfill, very close in  
24 their grade pattern across the top of it, they had no  
25 measurable methane escaping from the landfill.

1                   So if it's venting, it's venting passively  
2                   and it's venting at very low levels that are not even  
3                   registering on their equipment.

4                   FACILITATOR KERN:    I'm not sure -- did  
5                   they report what the atmospheric pressure was that day?

6                   MS. FANELLI:    I'm sure they have that  
7                   information in their analysis.

8                   FACILITATOR KERN:    It just seems like  
9                   there might be a few technical questions about all of  
10                  that that it might be good once we have the report to  
11                  bring them back and be able to have that discussion.

12                  MS. FANELLI:    I'm sure that can be  
13                  arranged.

14                  FACILITATOR KERN:    Good.  Thank you.

15                  MR. BERMAN:    Speaking of landfill E,  
16                  presumably this winter one will have the test of the  
17                  perched water hypothesis that was due to the break in the  
18                  pipe.

19                  MS. FANELLI:    The data report will include  
20                  that analysis.  So it will be in that analysis, and then  
21                  we are doing ongoing groundwater monitoring.  So we will  
22                  have groundwater data from all of the well sites.

23                  MR. BERMAN:    That's part of the report  
24                  that's coming out now?

25                  MS. FANELLI:    The report that's coming out

1     now has the groundwater analysis in it, and then we are  
2     doing ongoing groundwater monitoring throughout until  
3     we're ready to construct.

4             So yes, you can take a look at that  
5     analysis. It's part of the data report.

6             FACILITATOR KERN:   We'll read the report  
7     when we receive it.

8             Any other discussion or questions on the  
9     landfill 2, fillsite 1?

10            MR. BERMAN:    I think the work looks very  
11     impressive from a layman's point of view.

12            MS. FANELLI:   I appreciate that. The  
13     contractor has actually done a very good job, has found  
14     efficiencies in an inefficient process when you're taking  
15     confirmation samples and having to make decisions, and is  
16     working very hard to button up the site so that it's  
17     safe.

18            So these next few weeks are a little  
19     stressful for us because we're very close to having it  
20     buttoned up, and so far, I only see weather.com saying a  
21     thirty percent chance of showers on Sunday, but  
22     otherwise, a sunny week this week and a sunny week next  
23     week, and so we're trying to get it completed.

24            But we've been surprised with DBS'  
25     performance.



1 FACILITATOR KERN: They certainly -- I  
2 certainly appreciate the work that was done to remove the  
3 contamination. I think that was really, really good.

4 MS. FANELLI: I think we've enjoyed the  
5 benefit of the Doyle Drive project because it's been a  
6 good source of native Presidio soils, both serpentinite  
7 and Colma.

8 Who knew that we would want serpentinite,  
9 but we do want to backfill that area.

10 MR. BERMAN: Does Caltrans charge you for  
11 it?

12 MS. FANELLI: No, they do not. It's a  
13 win-win. They win because they're paying less because  
14 they're not hauling it offsite, and we win because it's  
15 being delivered to our site, and so our contractor  
16 charges less.

17 MS. NEWTON: So they're hauling it over to  
18 you?

19 MS. FANELLI: Basically they have been.  
20 It's been Doyle trucks coming in and dumping it. So we  
21 did have one little change, you'll probably notice.

22 Starting today through next Monday, we are  
23 allowing our trucks to use Rodriguez between the hours of  
24 9:00 and 3:00 because we had to take out our access road.  
25 We talked about the raceway, and they're rebuilding that

1 slope with serpentinite soils, and until they get that  
2 road rebuilt, we don't have access to the site.

3 So we are using Rodriguez for the next few  
4 days, and then we'll revert back to our normal access  
5 road.

6 So we have been -- Jim will appreciate  
7 this. We have been putting flyers on people's cars who  
8 have been using Paul Goode Field yard to not park their  
9 cars there, and I think the police actually came by and  
10 gave some tickets today. So we had a cleaner site later  
11 this afternoon.

12 MR. KETCHAM: I'll be hearing about that  
13 tomorrow.

14 MS. FANELLI: Probably you will, and it's  
15 for the next five days. So it would be if you have folks  
16 that are using the field to let them know we don't want  
17 to sideswipe their car. We are calling the local police  
18 to come and ticket --

19 MR. KETCHAM: Okay.

20 MS. FANELLI: -- to keep people parking  
21 legally.

22 FACILITATOR KERN: I guess I would just  
23 throw out one more thing with -- related to this landfill  
24 2, fillsite 1.

25 This has been a very long process, and I

1 certainly appreciate the work in removing the  
2 contamination. The vision for this is over twenty years  
3 old for this site.

4 So the details to a large community really  
5 matter. How that site ends up, and it's a large site.  
6 How it connects to the creek, how it connects to the  
7 recreational facilities, these are topics about which  
8 we've sat in meetings for twenty years.

9 It's a really long time, and it really  
10 matters to the community how it works out.

11 So I just want to throw out, encourage you.  
12 There's a lot of interest in how it eventually works out,  
13 and you could get a lot of ownership by the public which  
14 will help to keep the site nice in the future if people  
15 feel they have some sort of say in how it looks and how  
16 it gets designed.

17 So as you have your meetings internally, I  
18 would just really want to encourage you to bring it out  
19 to people for additional input in the design part of it.

20 Thanks. Thanks very much for listening to  
21 my little speech there.

22 Moving on to item number 6, I got a note  
23 from Agnes that she wouldn't be able to make it. I would  
24 note that we continue to have DTSC on the agenda, but no  
25 longer seeing any indication that DTSC is intending to

1       come to the meetings, so we'll just note that for the  
2       record.

3                   Is there any new business?   Very good.

4                   MS. NEWTON:   Why -- does anybody know why  
5       DTSC is not being represented anymore?

6                   FACILITATOR KERN:   Well --

7                   MS. NEWTON:   A budget issue.

8                   FACILITATOR KERN:   We're certainly told  
9       that, that there was travel restrictions and the  
10       inability to send staff to the meetings.   Denise was  
11       sending us individual messages on a per meeting basis.

12                   So I have -- I did not hear about tonight.  
13       I don't know if you've heard from her.

14                   MS. FANELLI:   I spoke with her this  
15       morning.   I have a standing call with her, but she wasn't  
16       sure because of the -- they're still on furloughs, and it  
17       was a -- I think they worked yesterday.   They didn't have  
18       yesterday off, but they're still on furloughs, so she  
19       said they had some staff crunch issues.

20                   FACILITATOR KERN:   Would you be able to  
21       inquire at all with her about whether she intends to try  
22       to come to meetings in the future?

23                   MS. FANELLI:   I asked her if she was  
24       coming today and she wasn't certain.   So I would have  
25       thought she would have sent an e-mail.

1 FACILITATOR KERN: Okay.

2 MS. FANELLI: But I will certainly ask  
3 her.

4 MS. NEWTON: Is that affecting the Trust's  
5 ability to progress in any way, their being shorthanded?

6 MS. FANELLI: No. We're actually getting  
7 some pretty good attention. She as we talked about  
8 before distributed a lot of the responsibilities to  
9 multiple project managers now.

10 So my point of talking with Denise is  
11 really more problematic, just making sure there's not a  
12 hiccup.

13 Rarely am I talking about site specific  
14 details with her. It's really more programmatic.

15 So we haven't -- we haven't suffered.  
16 We've actually benefited.

17 FACILITATOR KERN: Since we don't have  
18 meetings at all with DTSC, this was our one opportunity  
19 to meet with a regulator from the department that has the  
20 lead on this.

21 So I would just note that if we're limited  
22 to this single opportunity to meet with DTSC to express  
23 our input, it would be great if somebody could actually  
24 come.

25 MR. CHESTER: Is it not in the documents

1     that form the RAB, but -- I haven't read in detail, but  
2     is there something that says certain agencies are  
3     supposed to be showing up? Regardless of the financial  
4     or the furlough issues, but is the function of the RAB  
5     supposed to have these agencies at the table, and that  
6     was the definition of a, you know, proactive RAB.

7                 FACILITATOR KERN:    I think, as you say,  
8     setting aside budgetary issues, that -- that is the  
9     intent is that it is a forum for the public to be able to  
10    communicate with their agency, and we enjoyed many years  
11    of meeting during the day with them. That no longer  
12    happens.

13                So it's -- now we're not really able to  
14    have an ongoing dialogue with DTSC.

15                MR. CHESTER:    The lead agency.

16                MS. NEWTON:    Maybe it would help if we  
17    requested that they come on a quarterly basis or  
18    something like that so that they aren't expected to come  
19    every time we meet.

20                Maybe we could set aside some time at  
21    specific meetings and maybe it would make it seem more  
22    significant for them and they'd be more apt to show up.

23                FACILITATOR KERN:   Well, it seems like  
24    it's a reasonable proposal. I guess we've been really  
25    just kind of leaving it for them -- I've been expecting

them to return at some point or to talk about well, we just can't make it or maybe we could make it quarterly or offer some alternative, but that might be something that they would entertain. That would be more often than they're coming now.

So that would be -- that would be nice.

But we actually need them to come to talk about it.

Is there any public comment?

So action items, we certainly have got landfill E out in front of us with the data report and hopefully some interaction on the design of the restoration of fillsite 1, landfill 2.

And I suppose there remains kind of closing out those sites, confirmation sampling. It would be really great to hear how that came out, the Furan data and all that.

MS. FANELLI: We can copy you when we submit our confirmation data to DTSC. Obviously two packages have come in.

I think you have the first one that was for a portion of fillsite 1, and that was accepted or approved by DTSC, and the last one went in on Friday and this one should be going in next week most likely.

MS. HESSLER: There is one due on 18th.

MS. FANELLI: So we'll probably wait till

1 after the 18th to formulate it, and I'll talk to --  
2 Shannon is our field guy who's sort of taken on that  
3 responsibility to make sure that you that guys get a copy  
4 and we'll cc the RAB so you have a copy to see.

5 FACILITATOR KERN: Thanks very much.

6 Any other action items?

7 Regarding our committee meeting, what do  
8 you want to say about that?

9 MR. YOUNGKIN: It seems like we could  
10 start looking at landfill E data.

11 FACILITATOR KERN: Yeah.

12 MR. YOUNGKIN: Get the report in, perched  
13 water.

14 FACILITATOR KERN: Sure.

15 MR. YOUNGKIN: The perched water has been  
16 hanging around a long time. It would be nice to sort of  
17 get that done.

18 FACILITATOR KERN: Okay. Landfill E it  
19 is.

20 Any other items for the good of the order  
21 tonight?

22 Thanks to everyone for coming out.  
23 Appreciate Brian and Eileen, thank you very much for  
24 coming out tonight.

25 Without objection, meeting adjourned.



(The meeting concluded at 8:31 PM).

---o0o---

1       STATE OF CALIFORNIA                )

2       COUNTY OF SAN FRANCISCO        )

3  
4               I, the undersigned, hereby certify that the  
5       discussion in the foregoing meeting was taken at the time  
6       and place therein stated; that the foregoing is a full,  
7       true and complete record of said matter.

8               I further certify that I am not of counsel or  
9       attorney for either or any of the parties in the  
10      foregoing meeting and caption named, or in any way  
11      interested in the outcome of the cause named in said  
12      action.

13  
14                               IN WITNESS WHEREOF, I have  
15                               hereunto set my hand this  
16                               day of \_\_\_\_\_,  
17                               2010.

18                               \_\_\_\_\_  
19                               MARK I. BRICKMAN, CSR 5527  
20  
21  
22  
23  
24  
25

11-9-10 RAB meeting.txt

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, NOVEMBER 9, 2010  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: SARAH GOEKLER, CSR  
License No. 13446

♀

11-9-10 RAB meeting.txt

2 RAB Members:

3 Doug Kern, Facilitator

4 Eileen Fanelli

5 Shannon Wright

6 Toni Kramer

7 Jan Monaghan

8 Jan Blum

9 Agnes Farres

10 John Chester

11 John Budroe

12 Edward Callanan

13 --- o0o ---

14 BE IT REMEMBERED that, pursuant to Notice of  
15 the Meeting, and on November 9, 2010, at the Officer's  
16 Club, Building 50, Presidio of San Francisco,  
17 California, before me, SARAH GOEKLER, CSR No. 13446,  
18 State of California, there commenced a RAB meeting under  
19 the provisions of the Presidio Trust.

20 --- o0o ---

21

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1 AGENDA

2

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4

4 2) Agenda Discussion and Approval

4

11-9-10 RAB meeting.txt

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1 FACILITATOR KERN: I'd like to welcome  
2 everyone to tonight's Presidio Restoration Advisory  
3 Board meeting. Welcome the Trust and regulators. I  
4 know that Mark won't be here tonight. He told me he was  
5 sick, so there may be things going around. I'm not  
6 sure. Does everyone have an agenda and any changes?  
7 Announcements?

8 MS. MONOGHAN: Peter O'Hara resigned?

9 FACILITATOR KERN: Yes. That's coming up here  
10 in the committee report, which is the next item, Mark  
11 not being here. I received a note from Peter, and his  
12 wife had been injured some time ago, and then her  
13 mobility was deteriorating, and they have a place with  
14 many -- they had a place with many flights of stairs  
15 that she was having to negotiate here, and they couldn't  
16 do it anymore and so they've moved out of the city.

17 MS. BLUM: My goodness.

18 FACILITATOR KERN: So he wasn't going to be  
19 able to come to Sonoma.

20 MS. MONOGHAN: Oh, my goodness.

21 MS. BLUM: Oh, my word.

22 FACILITATOR KERN: So there has been that  
23 development. Peter was one of the remaining three  
24 original members of the Restoration Advisory Board, so  
25 we'll miss him for sure.

4

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1 MS. BLUM: I would like to make a motion that  
2 the RAB sent him a letter thanking him for his many,  
3 many years of service to the RAB and to the efforts,  
4 cleaning up the Presidio.

5 FACILITATOR KERN: I think we may not have  
6 achieved a quorum tonight. I don't think anyone would  
7 object, actually, if we proceeded with that. Yes,  
8 that's a great idea. Yeah, it's unfortunate, and he --  
9 I think he was sad that he had to leave under those  
10 circumstances, but that's the story. And he had sent me

11 quite a long letter of explanation, which really didn't  
12 seem like I should distribute widely because it had a  
13 lot of personal stuff in there, but that's the general  
14 issue.

15 MS. MONOGHAN: I guess we'll have to clean up  
16 Mountain Lake in his honor.

17 FACILITATOR KERN: That's right.

18 MS. BLUM: Just made a note to ask every  
19 meeting.

20 FACILITATOR KERN: Spent a lot of time with  
21 the supervisor trying to move that along. He was very  
22 strong in trying to see Mountain Lake would be cleaned  
23 up. We'll definitely have to let him know when that  
24 happens, which I'm sure it will.

25 So we're -- I think we can move along to our

5

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1 discussions and presentations and look forward to some  
2 of these updates.

3 MS. FANELLI: We have some pictures for us  
4 tonight. I want to introduce Shannon Wright. I don't  
5 know if you've actually gotten an opportunity to meet  
6 Shannon. Shannon is our construction project manager in  
7 my group. He's with C.H. Trumhill (phonetic), and he's  
8 been spending almost all of his time in the last four  
9 months at Fill site 1 and Landfill 2. So he's going to  
10 be able to go through, in detail, those slides.

11 But before that I think there had been some  
12 questions on Graded Area 9. I'm not sure what the  
13 update questions were, but I brought some photos of

14 Landfill 10 and Graded Area 9 to walk you through, and  
15 then I'm going to turn it over to Shannon. And then  
16 Mountain Lake. No pictures of Mountain Lake, but we can  
17 talk about where we're at.

18               So here's a picture of Landfill 10. Now, you  
19 can see plants growing. By all reports to me, the  
20 vegetation on the slope is growing quite well. This was  
21 just taken the other day by Ryan Selwalk (phonetic).  
22 Our contractor has essentially demobbed from the side.  
23 There's a couple of handful of checklist items, but  
24 there's no equipment left out there. So it is done, and  
25 you can see to the far left the area of the northern

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1 part, and I have some more detailed photos of that, but  
2 you can see how it has been redesigned and regraded for  
3 erosion controls.

4               FACILITATOR KERN: Where did he take that  
5 picture from? It seems like he's up in the air somehow.

6               MS. FANELLI: I think he went to 16th, to the  
7 edge there and took it. He might have some capability  
8 on his end of his camera. I don't know.

9               MS. BLUM: With all due respect, it looks like  
10 a Chinese tomb of all of the ancient emperors. It's  
11 magnificent looking.

12               MS. FANELLI: I think when the vegetation  
13 grows, I think it will be quite lovely, and we haven't  
14 planted the very, very top. That's being coordinated  
15 with our natural resources group and likely will occur  
16 anytime now, and those plants are supposed to grow a



17 little bit taller. They're all native shrubs. They're  
18 supposed to have a slightly taller stature.

19 So at some point in the future the view of the  
20 refurbished hospital there will be modified a little  
21 bit. It's kind of interesting here, but these are the  
22 ones -- you can see how well these are going. These are  
23 the first ones that were planted a while ago, and  
24 they're doing really, really well, and a lot of these  
25 areas are where the repairs were, so it's obvious they

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1 have been planted, but they're really tiny little  
2 things.

3 I think this must have been planted earlier as  
4 well. So the earlier areas have grown up pretty well.  
5 This here is temporary piping -- irrigation piping that  
6 we ran down because we had it planted and it went  
7 through the summer. That will be in place for at least  
8 till next summer, and then there'll be an evaluation of  
9 whether or not it needs to stay for another year or not.

10 MS. BLUM: So it's drainage, storm water  
11 drainage.

12 MS. FANELLI: No. It's portable water that's  
13 hooked up to irrigation, sprinklers.

14 MS. BLUM: I didn't hear that correctly. That  
15 was my fault.

16 MS. FANELLI: Here is the view of the  
17 15th Avenue. You can see it's been re-stripped, this is  
18 not part of remediation, but the long-term plan was to  
19 make 15th one way southbound out of the Presidio and

20 14th Gate has been opened one way northbound into the  
21 Presidio, and there's a bike lane. I think this is a  
22 striped bike lane over here. Planning had had native  
23 grasses up here. Didn't like the look, it was kind of  
24 weedy because it had been hydroseeded last year. They  
25 modified that plan and put in some additional plants and

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1 shrubs, so it's taking shape.  
2 Top deck of the parking lot. Other  
3 modifications since the end of last year were these BMPs  
4 here. This is as the original design for the most part.  
5 I think some of these plants are new. Planning decided  
6 that they wanted to make these a little less intensive  
7 maintenance, so where this had been more soil in there  
8 they took that out, filled the area up with more rock,  
9 and then planted more less-maintenance intensive plants,  
10 but you get a good sense of the parking lot here. And  
11 this is the area that we haven't planted right along the  
12 edge there but should be planted soon.

13 MS. KRAMER: Are those bioswales or no?

14 MS. FANELLI: Yes. Those are bioswales, yeah.  
15 The concept is that you can see the breaks here in the  
16 sidewalk and the curb. The concept is the water -- the  
17 first flush will flush off into these areas. There are  
18 drop inlets -- you can't really see it in here, but  
19 there are drop inlets in the low points, like down here.  
20 There's probably a drop inlet, I'm guessing. The idea  
21 is that it will filter any of the particulates and  
22 sediment and might even have mild treatment capability

23 for any oils that might be in the run on.

24 This is a picture of the overlook, sun shining

25 on it. Obviously, we're going to be planting around

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1 here -- not tall plants that block the view for the

2 overlook, but there's a planting plan for there.

3 There's a little bit of a problem with some of the

4 irrigation piping down here, so the reason it doesn't

5 have the fabric on it may be because these are one of

6 those little punch list items they're fixing, some

7 irrigation piping, but the fabric comes all the way up

8 to here and everywhere else.

9 This is a close-up of the overlook. I don't

10 know if anybody has gone to sit down there.

11 FACILITATOR KERN: I have. Yeah, it's nice.

12 MS. FANELLI: And another view from the

13 overlook, top of the overlook, I guess, looking out

14 over.

15 MS. KRAMER: So is that permanent fencing, out

16 of curiosity, along the edge there?

17 MS. FANELLI: Yes. We jokingly call it the

18 body catcher fencing because it's a very steep slope. I

19 probably shouldn't have said that, since there's a court

20 reporter here. It's not too high, so it's not supposed

21 to interfere with the view, but it is a safety factor

22 just to warn people, hey, steep and -- you know, I'm not

23 sure if it had -- I jumped ahead. Excuse me. Go back.

24 There was some provision for some dog -- some

25 smaller fencing in between there to try to keep animals

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1 from running down the slope. I don't know if that was  
2 actually implemented at this point or not, or if there  
3 was a change on that. That's a planning piece. It's  
4 not really a remediation piece.

5           You can see the power pole, so now that power  
6 pole is very visible and kind of marks the view, but  
7 here's a view from up above, closer to Graded Area 9,  
8 and you're looking at the northern portion that was  
9 recreated. If you remember last winter, this is where  
10 some of the water coming off Battery Caulfield had  
11 entered the site. There was a break here in the curb  
12 and water just running off these slopes, which were very  
13 hydrophobic and our earlier contractor didn't manage the  
14 water in this area very well. So we had ponding then  
15 that discharged down this way, caused erosion, and then  
16 other ponds here that discharged down the slope; it  
17 affected the sands.

18           So that has been all modified and graded so  
19 that we are trying to maximize sheet flow, but we have  
20 designed elements and -- let's see if the next slide has  
21 a better picture. Underneath here there are what we  
22 call cutoffs. They're rock that run perpendicular to  
23 the flow, and if -- to describe it, they're to stop  
24 scour. So if any water does pick up any velocity from  
25 the upper portions coming down and concentrates into a

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1 stream and it starts to incise because this is still  
2 some sand and some of the same cover soil that's on the  
3 slope.

4 If we do get incising, the water hits that  
5 rock. It can't move the rock. That's a design element.  
6 It was calculated so he put in rock that it can't move.  
7 It dissipates the flow and absorbs it so that it can go  
8 back to a sheet flow type pattern, and that was the  
9 design element, so it was primarily to stop scour  
10 because that was the problem last year. We would have  
11 water discharging off in a focused fashion, and it  
12 incised into the La Singa Habitat Dunes (phonetic) down  
13 below. So that can't happen anymore, and this area is  
14 scheduled to be planted as well. So I think in a few  
15 years when the plants begin to grow, you won't see the  
16 walls or the booms, but it is heavy duty erosion  
17 controls on the ground surface in this area.

18 MS. BLUM: Is the stone going to stay there,  
19 or get removed once the habitat gets established?

20 MS. FANELLI: It stays there. The stone will  
21 never be removed. It will get buried by soil and dirt.  
22 Plants will grow in it, but it won't be removed. We had  
23 talked with park services about other alternatives. The  
24 normal engineering approach would be to put a channel  
25 in, sort of a rock line channel, and that was not

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1 desired. It would have been more of a surface feature.  
2 This is somewhat of a compromise. It gives us the same

3 benefit of controlling flow and stopping erosion, but  
4 it's mostly buried, so it's mostly not visible. If you  
5 walked on top of it, yeah, you'd see some areas with  
6 rock, but our expectation is as the vegetation grows up,  
7 and as the surface soils and sand shift, you won't see  
8 them anymore.

9 MS. BLUM: How deeply are they buried?

10 MS. FANELLI: 2 feet. Between a foot and 2  
11 foot some. In some places they may be only 18 inches.  
12 Do you remember exactly -- you weren't out there when  
13 they were doing that?

14 MR. WRIGHT: No, I wasn't.

15 MS. FANELLI: Then we have hay bales on top.  
16 It looks so clean. Actually, this is a good view too.  
17 You can see the green fuzz on the slope. You can see  
18 the plants growing there. I know it's being actively  
19 weeded by volunteers and the park service.

20 Graded Area 9. This is a picture of Graded  
21 Area 9. It's basically done. We have plenty of sand,  
22 all said and done because we didn't put it anywhere near  
23 the amount of sand at the tole of Landfill 10, and the  
24 sand that we did place, we actually picked a lot of it  
25 up and brought it back up after we had the erosion

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1 because it was so difficult to maintain until some  
2 vegetation occurred.

3 So Graded Area 9 is basically complete.  
4 There's no active erosion controls on the surface.  
5 There's a picture of it by the gate. We are having a

6 little bit of a problem with trespassers, so you see  
7 where the fence is. We've had people presumably -- I  
8 don't know if they live in the wary housing or if  
9 they're just crossing over, but they either run through  
10 the bar gate and they break it -- and this happens  
11 routinely -- or they've been driving up over the curb on  
12 top of the dunes and coming around, so we put this fence  
13 up to try to stop that.

14 I've been informed by Ryan today they actually  
15 jumped the curb and went over our new DG trail and still  
16 continued, so we're going to likely continue that fence,  
17 or we're going to return to -- there used to be wood  
18 logs around that road that kept a car from going over.  
19 So we'll put some logs down temporarily. I do think  
20 there's a plan to put up a post and cable fence here by  
21 the natural resources group, the planning department.

22 MS. BLUM: Just for your information, the kids  
23 also like to use it to sled down using some kind of  
24 tarps or whatever, so that's going to be a magnet for a  
25 while.

14

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1 MS. FANELLI: I do think -- and I don't have  
2 the quantities, and Terry's not here tonight. There are  
3 plants that have been propagated, and there's a plan to  
4 plant a portion of it this season.

5 That's some erosion controls in the gully. If  
6 I remember, the fill material was determined to head a  
7 little bit further south through the gully. What we did  
8 is we did a grading plan that allowed us to conform to

9 existing grades where the gas -- see if I can get the  
10 arrow back here. Right along here we conformed, so we  
11 actually did a cut to at least 2 feet, I believe, or  
12 maybe it was 3. I'd have to check how much -- I think  
13 it was 3. We have 3 feet of sand here. It's an  
14 eco-repair or eco-restoration.

15 So it conformed to the existing ground here,  
16 which was outside of the waste limit and brought  
17 basically 3 feet of sand in over all of the fill. That  
18 shifted this channel -- this channel was probably over  
19 here a little bit earlier, before we did the  
20 remediation. And then in the channel we just put this  
21 fabric to make sure there was some roughness in case we  
22 did -- we didn't think we were going to get a lot of  
23 runoff, but it's sand and sand is not cohesive.

24 So again, this is probably a little bit of  
25 belt and suspenders, but we wanted to be very certain

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1 that there was no sand movement in this draw. So we put  
2 in the fabric and then we put in some booms across the  
3 channel to help again make sure we had sheet fall.

4 MS. BLUM: Where was that picture taken? I'm  
5 having a hard time recognizing the area.

6 MS. FANELLI: So I have probably walked due  
7 west from Battery Caulfield, sort of halfway over, and  
8 I'm on the very southern end of Graded Area 9.

9 MS. BLUM: So public health would be way over  
10 here some place.

11 MS. FANELLI: So public health is behind me,



12 to my left, yeah. If I'm looking down the gully.

13 MS. BLUM: Oh, it's behind you. Okay. All  
14 right.

15 MS. FANELLI: Landfill 10 is directly south of  
16 me, and I'm looking -- I guess wary housing maybe in  
17 front there or not. It might just be a little bit off  
18 to the left.

19 And that's what I have on 10 and 9, so I'm  
20 going to turn over to Shannon.

21 MR. WRIGHT: So I just wanted to kind of  
22 briefly go through where we're at on the two sites.  
23 Current status, completing the terraces in the upper  
24 portion of Landfill 2, and we're going to be doing final  
25 winterization over the next week and a half before

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1 leaving for the season.

2 Look ahead, we're leaving the site during the  
3 wintertime, we're getting to the point where we don't  
4 want to take one step forward and two steps back because  
5 we're dealing with mud and storm water issues. The  
6 contractor will be visiting the site over the wintertime  
7 to make sure that the storm water controls are working  
8 on the site and doing any repairs that are necessary.

9 And we'll return once we feel that we're at a  
10 point where the weather has stabilized, per se, and that  
11 we're able to get back in and actually have good  
12 productive weeks because right now, basically, it's --  
13 when it rains, it takes at least two days to get back in  
14 and start doing more work. It takes a while for it to

15 dry out to a point where you just don't make a mess of  
16 the whole entire site.

17 FACILITATOR KERN: When you say that they  
18 might visit the site over the winter, would that be  
19 during storms, for example?

20 MR. WRIGHT: You know, I believe that is the  
21 case; however, we have to go back to the storm place  
22 production plan, and in there it spells out exactly what  
23 they've got to do, and I believe it's after the major  
24 storm.

25 MS. FANELLI: Generally, they're required to

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♀

1 inspect before and then after.

2 MR. WRIGHT: So what I wanted to do here is  
3 just give a little brief run through of the site. I  
4 don't know if you've seen it. This is kind of a little  
5 bit of a chronology. There's a lot more, obviously,  
6 that went on during this, but this is just kind of  
7 giving snapshots through time as it went on. So for  
8 Fill site 1, this is showing -- it's the removal of the  
9 final soils to the design grade. So in other words, we  
10 have design grade that we were shooting for, contractor  
11 excavated down to those grades. That's what we're  
12 getting at here. This is literally probably the last 20  
13 trucks for the Fill site 1 area.

14 Through that time they did -- after they got  
15 to those final grades they had confirmation sampling and  
16 from the confirmation sample we found about 12 hot  
17 spots -- 11 or 12 hot spots that were in this area.

18 What we did is we went back in and hit those hot spots;  
19 that's exactly what you're seeing here. We thought we  
20 had everything; confirmation sampling indicated that we  
21 did not. The biggest issue that we found was DDT and  
22 the suspicion is, you see on the right-hand side, there  
23 are a lot of logs, and those are some probably  
24 50-year-old logs, and we think that's the culprit.  
25 Basically, we chased all the logs. We got everything

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1 out with respect to that.

2 This is the start of the back fill. So you  
3 can see in the foreground. You can see our 25-foot  
4 radius hot spots that we removed. The hot spot we found  
5 one spot that was hot, and we just took the whole entire  
6 area and went down 3 feet to make sure that it was  
7 clean.

8 In this there were still some areas that were  
9 left that were cut based on the final design grades, so  
10 the contractor essentially started moving the adjacent  
11 soils around. You can see there was what we called the  
12 mills, so this actually was kind of an area that stood  
13 out. It was kind of -- it was an area that was left.

14 MS. FANELLI: Sort of like a promontory.

15 MR. WRIGHT: Yeah. It was a large area of  
16 cut, so at that point what they did is they started  
17 taking that material, and they started moving it to the  
18 deep spots that are adjacent to them, so you can see to  
19 the left those were really the deeper spots, and that's  
20 where this fill went.

21 This area -- this is backfilling using the  
22 adjacent soils, any cut areas, as well as other on-site  
23 soils, so we had some soil from the Paul Goode Field,  
24 parking lot. We took the soils from there; we used that  
25 as backfill. And actually we got some additional

19

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1 backfill from Doyle Drive Project that went into this.  
2 This is essentially finished grade right now  
3 in this photo. They're basically going through and  
4 grading it to the design grades. Right at the very top  
5 you can see they're kind of finishing the little trail  
6 area across there. The stripe that runs through there  
7 is a drainage channel that runs from south to north.

8 MS. KRAMER: Is that rock line that drainage  
9 channel?

10 MR. WRIGHT: It's rock line, yes.

11 MS. FANELLI: It has a fabric underneath it  
12 and then rock on top of it.

13 MR. WRIGHT: In fact, the pile of rocks is  
14 that lower-left hand pile. They were just using that.  
15 They placed a lot of that.

16 So this is a closeup of what it's left as, so  
17 this is with the sediment and erosion controls. It's  
18 got hydroseeding. It's got hydromulch. It has straw  
19 mulch, it has fabric, and it has waddles. This thing  
20 has essentially been bulletproofed against storm water.  
21 And speaking from having gone out after the storms that  
22 we've had, this is performing very well.

23 MS. FANELLI: The channel in the center is

24 actually receiving a fair amount of water. The water  
25 source is runoff from Paul -- excuse me. Julius Kahn

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1 Field for the most part. Julius Kahn tennis courts are  
2 pretty impervious. I know I was out there the Sunday we  
3 had the first heavy rain that we had, and there's a lot  
4 of water coming off the side, and you can see it coming  
5 through a couple of pipes and through a couple of breaks  
6 in the pathway up by the tennis courts.

7 And the design and intent was to direct that  
8 so that it wouldn't gain focus and go through the Fill  
9 site 1. It would go through this drainage channel,  
10 which is exactly what it's been doing, so it's serving  
11 an important function until such time as globally storm  
12 water runoff is addressed for the area.

13 MS. BLUM: Is it the normal practice to use  
14 hydromulch in natural area, a hydroseed rather?

15 MS. FANELLI: The hydroseed was a sterile  
16 wheat grass, and it was approved by both natural  
17 resources and by our forestry group. You're looking  
18 here, probably the third boom up closer to the right the  
19 full one is the forest natural, native plants zone. So  
20 forest is going to be planted on the upslope side and  
21 then the lower side is designed for a native plant,  
22 woodland, at this point. And then over by the box and  
23 the field is going to be the new ball field. It will be  
24 more landscaped.

25 MS. BLUM: The other thing that I heard was

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1 that you're using a fill from the parking lot at Paul  
2 Goode in this area. Did I hear that correctly?

3 MS. FANELLI: It was the former parking lot  
4 area, the flat area.

5 MS. BLUM: I would be concerned about oils and  
6 metal parts and whatnot from cars being in that fill  
7 material back here in the natural areas again.

8 MS. FANELLI: The areas that we graded from  
9 have been sampled previously and then confirmation  
10 sampling was done before we did any cutting and filling,  
11 so it needed all of the soil quality requirements. So  
12 we used that parking area kind of loosely. It was  
13 basically the area on top. And, yes, cars and dog  
14 walkers and others have come in there at different  
15 points in time, but there have been some removal of any  
16 debris. So there was no debris that was spread or  
17 placed anywhere. It was all basically fill soils.

18 MR. WRIGHT: So this is just the general  
19 overview of the site. This gets you another view of it.  
20 You can see the top side. The waddle that runs around  
21 there does look a little funky, but it is, indeed, on  
22 contour, so that's really the completion of Fill site 1.  
23 There's a little bit that needs to be done, which is  
24 putting some wood chips along the top where the trail is  
25 at. That's kind of as we walk out the door, per se.

22

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2 into the full production. This is -- they were working  
3 primarily on the lower portion of Landfill 2 to -- it  
4 was supposed to be two different types of waste, Class 2  
5 waste and a Class 1 waste. The whole thing essentially  
6 came out on their waste profile as Class 1 non-RCRA  
7 waste, so essentially the whole thing was able to go to  
8 one landfill.

9 Again, this is the -- they started on the  
10 lower side. They did a little work on the upper portion  
11 of it, but the lower was their primary focus.

12 FACILITATOR KERN: Where did it go, by the  
13 way?

14 MR. WRIGHT: It went to Utah. It went to  
15 Utah.

16 This is, again, kind of the full production  
17 lower portion. You can see they really got to a point  
18 where they were very constrained by space because  
19 Landfill 2 was not a huge area, unlike Fill site 1 where  
20 they had a lot of area where they could bring their  
21 trucks in and out. Landfill 2, really there was not a  
22 large place for their trucks to be able to turn around.  
23 So they had to focus their construction a little  
24 differently.

25 What you don't see in here is the -- the

1 trucks would come in through here, they actually -- we  
2 would call it the raceway because the trucks would have  
3 to get a head start, go up and around the backside of  
4 Landfill 2, and then come back down to where you see the

5 truck being loaded right now. You can see they got some  
6 pretty steep little sloping there because they were  
7 trying to get whatever they could until they had to  
8 completely destroy their haul route.

9           So this is what they ended up doing. So in  
10 order to be able to get to the backside and get the  
11 waste from the back portion of Landfill 2, they ended up  
12 cleaning the bottom part and they took some soils from  
13 Fill site 1 and they used that -- the clean soils after  
14 removal and they used that as their haul road. You can  
15 see this is Raceway No. 2 was a very steep situation,  
16 and in fact that backhoe down there actually had to push  
17 the truck -- several of the trucks up the hill to get  
18 out of there.

19           So this is really the final waste removal.  
20 You can see they've got down to the native soils. Just  
21 some little final cleanup in there. What you don't see  
22 is where that lower excavator is at from there heading  
23 off to the left is a pretty deep ravine that we ran into  
24 that was full of waste. We got down, all the way down  
25 to the bottom of that. Got down to the native soils in

24

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1 there. I think I got one -- I don't know if I put any  
2 in here.

3           FACILITATOR KERN: How would you describe --  
4 I'm sorry.

5           MR. WRIGHT: No, go ahead.

6           FACILITATOR KERN: How would you describe --  
7 was it we had heard there was going to be sections of



8 ash -- was it ash, or debris, or all kinds of stuff?  
9 MR. WRIGHT: You know, in the upper portions  
10 of Landfill 2, it was -- there wasn't a lot -- it was a  
11 little more debris. There was quite a bit of debris but  
12 really no ash. Where the incinerator was at, there was  
13 no hint of ash whatsoever around it, so the suspicion --  
14 don't know for a fact, but the suspicion is, is that  
15 incinerator may have never been used because it looks  
16 like they probably did it -- they burned over time  
17 because there would be a layer of ash, and then there  
18 would be layers and layers of fill, then there would be  
19 another layer of ash, so there were definitive layers of  
20 ash as we went up there through that.  
21 MS. FANELLI: That was mainly in the lower  
22 area where the ash was.  
23 MR. WRIGHT: Exactly. So when we got down  
24 towards the lower portion, that's where the bulk of the  
25 ash was, actually, right in this area.

25

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1 This is back -- in the background, that's  
2 really kind of the ravine. That was full of -- that was  
3 a lot of just trash. That was some very old metal,  
4 old -- there were some old tanks, old -- it was just  
5 miscellaneous debris. The stuff that we saw up above on  
6 the top of it -- of the landfill -- was, I would have to  
7 say, predominantly construction-type debris. There were  
8 some bed frames and old beds and old metal mattresses.  
9 There was some tile from, like, a bathroom or a kitchen  
10 that was in there.

11                   And then we got down into the layers of the  
12 ash and then down in this area, this is where we started  
13 getting into a lot of the large metallic debris. So  
14 this is the tunnel. This is the cultural resources  
15 1850's tunnel that once we got everything removed, they  
16 came out, the contractor helped him to dig around and  
17 they kind of hit it right away. There wasn't an awful  
18 lot of exploration; they got in there, and they knew  
19 roughly where the entrance to it was and within half a  
20 day they had it uncovered.

21                   MS. FANELLI: Ability you point out -- it's  
22 hard to see sometimes, like, the brick-head wall on  
23 there.

24                   MR. WRIGHT: Yes. Obviously, it's full of  
25 water because there's a reason why it was a tunnel. We

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1 also had a lot of seepage. This right here is the head  
2 wall to the tunnel. And right underneath here it's a  
3 little more square than it is actually round, but right  
4 down in about halfway down through this water you can  
5 see just a little bit of it up at the top, but down in  
6 through here that is the bottom of the tunnel.

7                   They actually were able to get in there, they  
8 had ultimately -- they pumped it out, kept having to  
9 pump it out because there was quite a bit of water that  
10 just kept getting in there. They were able to find  
11 platforms -- that was kind of like the natives had rock  
12 that was there -- looked like almost a catch basin of  
13 sorts. So they found some pretty interesting things in

14 there.

15 MS. BLUM: How deep is it from the top of the  
16 picture to the puddle, roughly?

17 MR. WRIGHT: From the top of the picture down  
18 to the puddle, we're looking at probably at least  
19 15 feet.

20 MS. BLUM: 15 feet?

21 MR. WRIGHT: So there's another five, 10 feet  
22 above that as well, so it was way down there. It was  
23 well below where we thought we were actually going to  
24 run into it. We thought we were going to run into it  
25 closer to this upper -- to this portion right here, so

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1 that's where we thought we were going to be at and just  
2 to give a sense of perspective, this is about a  
3 3-foot-high head wall right here. So there's another  
4 3-foot and another 3-foot. So you got quite a distance  
5 up there.

6 MS. FANELLI: I know that it was on NPR and --

7 MR. WRIGHT: KQED.

8 MS. FANELLI: KQED. So Eric Blind is more  
9 than happy to talk to everybody, anybody about this. It  
10 was very exciting for him, and you can get some other  
11 information and resources.

12 MR. WRIGHT: It does have a very interesting  
13 history. They call it a folly because they started  
14 building it and then kind of stopped after years and  
15 years of work.

16 FACILITATOR KERN: Could people actually -- I

17 mean, when this was excavated, was the tunnel excavated?  
18 Did people kind of go inside a little bit?

19 MR. WRIGHT: They had started to get into it,  
20 but what they found was it was mostly full of fill and  
21 there was a lot of sediment build up in there, and they  
22 just they got back to a certain point and it wasn't  
23 ending so they just stopped. So they probably went back  
24 I'd have to say 4 or 5 feet and then it just got to a  
25 point where it was not feasible to continue on.

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1 MS. FANELLI: We did put a little bit of  
2 pressure on them to do their recordation quickly,  
3 obviously, because we were trying to back fill this and  
4 that was a major undertaking. I'm sure Shannon will go  
5 into. A lot of dirt had to be brought back in.

6 MR. WRIGHT: A lot more than was actually  
7 designed because there was -- this ravine essentially  
8 had opened up -- that was a lot of waste that we had not  
9 anticipated being there. Wasn't a lot of information  
10 from the early investigations. Trenches were -- the  
11 trenches can only go so deep, and I don't know that they  
12 necessarily had had any borings that were in the deeper  
13 areas. That's always the problem with these types of  
14 projects is you're only as good as the points that you  
15 can get and you just don't know what the subsurface  
16 conditions are.

17 To note, where you can see the footprints  
18 there, right at where the picture is basically being  
19 taken from, that's pretty much the elevation of the

20 wetlands, that's immediately downgrading of it, so you  
21 can see it's substantially lower than the surrounding  
22 grade. So I know there's been talk about them possibly  
23 being able to open it back up and then a point of  
24 interest and then logistically it may be a little  
25 difficult because it's so much lower than the

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1 surrounding grades.  
2 MS. FANELLI: It really leaves you to question  
3 what was the native ground surface there because it's  
4 clearly been highly altered as far back as the 1800s. I  
5 don't know if we could ever tell what the native  
6 original ground surface was because this wetland  
7 certainly couldn't have been there if this tunnel was  
8 there, for example.

9 MR. WRIGHT: Okay. So roughly where that  
10 compactor is, that's -- if you go down from there by  
11 15 feet, that's where the tunnel is at. So this is a  
12 lot of the fill material that was brought in. The side  
13 where the compactor is, that's all sandy material. We  
14 got predominantly sands from the Doyle Drive Project.  
15 They've all been sampled and tested.

16 So we're confident that -- and it's from a  
17 native formation that's there. So we brought in  
18 predominantly the sandy materials, serpentinite soils  
19 were pushed essentially over to where the picture is  
20 being taken from.

21 FACILITATOR KERN: The Doyle Drive soil, do  
22 you happen to know where that came from, the -- I'm

23 trying to think of where that excavation might have  
24 been. Is it where they're building the new tunnel or  
25 something like that?

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1 MR. WRIGHT: It is. Just as Doyle Drive comes  
2 in there's a long length of area that they're excavating  
3 it down and they have to do some soil nailing right next  
4 to it. You can actually see where it's coming from  
5 right off of Doyle Drive. It's that whole entire length  
6 right there and it consists of -- there were some  
7 topsoil materials. There's some loamy-type materials,  
8 sand, colma right beneath it, and then it slowly gets  
9 down to more of the clay and serpentine soils.

10 MS. BLUM: So would that be up near Story  
11 Road? Is that where you are?

12 MR. WRIGHT: It is -- actually, if you went  
13 between -- I'm not really -- yeah. I think it's Story  
14 Road? It's right over by there. And that Story Road is  
15 where it's cut off, where it doesn't allow you through,  
16 so if you were to go to Lincoln and where it's cut off  
17 right now, it was Lincoln and Park.

18 MS. BLUM: Oh, Lincoln and Park.

19 MR. WRIGHT: From right there if you drove in  
20 a little ways.

21 MS. BLUM: Below the cemetery.

22 MR. WRIGHT: The other side is where it's  
23 below the cemetery, so you've got the side that's below  
24 the cemetery, and then if you went all the way to the  
25 other side where Lincoln is cut off, at Park that's the

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1 other side.

2 MS. BLUM: Okay.

3 MS. FANELLI: We will be bringing up

4 serpentinite to backfill the serpentinite area.

5 MR. WRIGHT: And that will be from the tunnel.

6 So that is actually from the tunnel area itself. So the

7 different contractors -- but we're going to be bringing

8 in the serpentinite in. So this is reaching the final.

9 You can see that the trail heading across there, the

10 gentleman standing off on the right-hand side. He's

11 roughly at the tole of where the trail will be at with

12 the final grades up in that area. Again, these are

13 sandy materials. These were brought in for -- this is

14 all forest, or will be forest area so we brought in the

15 sandy materials for this area.

16 And this one I wanted to demonstrate the

17 sediment and erosion controls that we have put in out

18 there in that area. They are currently working in

19 there, but obviously they have to have sediment and

20 erosion controls. Roughly where that excavator is

21 sitting at in fact they're probably working down in

22 there, there is a sediment basin that has been installed

23 in that area with a still way. So you can see the top

24 of it. Actually, that dark area right here is the

25 sediment basin. It's about 5-foot deep. It's got a

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1 little spillway here, and we got about 1 foot from the  
2 top of it in the very first rain that we had, but the  
3 problem that we had was we took the off-site water, so  
4 this pipe actually came down and you can see actually  
5 here where it dumped into our sediment basin.

6 Well, that water is not site water. We don't  
7 want to be controlling that. We want to control the  
8 water from our site. That's the sediment that we want  
9 to collect, the storm water that we want to check. So  
10 now that we've actually changed that pipe -- so now this  
11 pipe actually comes down.

12 MS. FANELLI: You can see the other --

13 MR. WRIGHT: Yeah, it ties in right to this  
14 pipe.

15 MS. FANELLI: So that pipe was in place after  
16 the tree removals, if you remember, and it takes the  
17 water all the way down to Apollo Springs (phonetic). So  
18 right now that bypass is still connected. When  
19 everything is said and done, the drainage there will  
20 be -- so right about here is where the creek channel is  
21 going to come in. Somewhere like right about here and  
22 will come all the way down kind of down this way and  
23 then down into this wet area.

24 There's a drainage channel that goes all the  
25 way around the outside, that will be breached so that

1 water will come on site. We're not doing that this  
2 season. It will happen next season and the stream



3 channel will be reconnected, and it will go through the  
4 basin here, which will become a retention basin. So  
5 we'll have a bay.

6 MR. WRIGHT: Detention.

7 MS. FANELLI: Excuse me, detention. Not  
8 retention. Detention basin. And the idea is there it  
9 will have a low flow; it will have a pipe so it  
10 continuously flows, but it will detain the water so that  
11 we discharge it even during a storm event at the same  
12 rate that it was before remediation happened. And the  
13 purpose is to give the site a chance to heal and to make  
14 sure that we're managing water post remediation similar  
15 to what it was pre-remediation.

16 MS. BLUM: So I mean, is Inspiration Point way  
17 over here?

18 MS. FANELLI: Inspiration Point is right over  
19 here.

20 MS. BLUM: So hard to recognize this area  
21 anymore.

22 MR. WRIGHT: Trees are gone, waste is gone,  
23 and it's completely different.

24 MS. FANELLI: The next slide is the Beloved  
25 Terraces.

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1 MR. WRIGHT: So these are the terraces that  
2 are being constructed, so it's -- this upper area we  
3 think we're going to be done with by the end of next  
4 week with the upper terrace area. We'll have -- the  
5 fill will be in, the topsoil, which -- or not topsoil,

6 excuse me. The compost, which you can actually see the  
7 compost, they started bringing in a little bit of it  
8 over on the left side there.

9 MS. FANELLI: These are really important.  
10 We're working into the winter because they're part of  
11 our hydraulic analysis and our control of the water  
12 because they're flat. They allow water to slow down and  
13 infiltrate as opposed to runoff and erode. Even the  
14 last couple of storms you can see the area below the  
15 terraces where you're getting reeling because it's  
16 really unconsolidated sand.

17 These are important features, and once they're  
18 planted and the ground cover begins to establish  
19 itself -- we are working with planning to come up with a  
20 design to allow their subsequent future removal as the  
21 site stabilizes, but truly they are necessary for the  
22 first few years until we get the site stabilized, so the  
23 stream channel is at the end -- so this angle it looks  
24 like it's all terraces, but it's really not. The  
25 serpentinite area is over --

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1 MR. WRIGHT: The serpentinite area is right  
2 here. It's this side, so this is actually the start of  
3 the upper portion of the channel that will be coming  
4 down right -- down through here.

5 MS. FANELLI: Is there any more?

6 MS. MONOGHAN: Are you going to be opening  
7 this up so people can hike through there this winter?

8 MR. WRIGHT: That is what we're attempting to

9 do. We got to a point where we're starting to get  
10 concerned with the storms, as I mentioned earlier, and  
11 so part of being able to walk off the site is -- there's  
12 a lot of things that we have to take care of and that's  
13 one of them.

14 We're thinking about how we're going to do it  
15 because a contractor -- we don't necessarily know if  
16 want him to remove all of the fences because they're  
17 going to have to come back and put them back up again so  
18 they can finish this area up, but we did discuss that we  
19 would go through and open areas up to allow people to go  
20 in through there and use the trails.

21 MS. BLUM: I'm just going to give my usual  
22 drill on the dogs. This is a famous dog-walking area,  
23 and people like to have their dogs off leash. So I  
24 would highly recommend that you leave all the fences you  
25 can in place to keep people on the path and not in some

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1 place where we spent millions of dollars trying to clean  
2 it up.

3 MR. WRIGHT: Along those lines, exactly what  
4 you're saying, which is also a safety issue is because  
5 we have a sediment basin there. Sediment basins have a  
6 tendency to be a little dangerous because people can  
7 look at it, and when the water is gone, think that  
8 they're able to walk out on the top of it, but  
9 essentially it's quicksand. It looks dry and you step  
10 on it and you just sink. So not that we don't want to  
11 get into that situation because we need to clean it is

12 what we need to do, but just -- we don't want to kill  
13 people we don't want to kill dogs, so we're going to  
14 basically put a fence around the detention basin the  
15 temporary sediment basin.

16 MS. FANELLI: I think at this point the plan  
17 is to not reopen the top where the parking used to be by  
18 Paul Goode Field -- not reopen that to parking, but to  
19 leave that closed, but to allow the trail so that you  
20 can walk from there down to El Polin Springs or around  
21 to Landfill 2.

22 Now would that keep dogs from running around?  
23 No, probably not. But it certainly will keep the big  
24 cars from parking up there because we have -- the trust  
25 has been enforcing parking by Paul Goode Fields, and we

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1 have been working real closely with University High has  
2 the lease for Paul Goode Field, and I know they have  
3 been working hard with students and parents in  
4 particular they come to pick up students after  
5 practices, to make sure that they park in an appropriate  
6 place and not block our residents' parking spaces, et  
7 cetera.

8 MS. MONOGHAN: Can I ask, the landfill  
9 removals are all done. Was the volume a lot more than  
10 we thought it was going to be, was it about where we  
11 thought it was going to be?

12 MR. WRIGHT: Well, I would have to say it was  
13 going to be more than I thought it was going to be, as I  
14 mentioned with that little ravine area, that's going to

15 give a fairly large quantity, additional quantity. The  
16 hot spots that we found over in Fill site 1, those areas  
17 are tacking on to quantity as well. There will be more.

18 MS. FANELLI: So there's more quantity but in  
19 terms of project cost, the waste we had budgeted for our  
20 RCRA classification, and we didn't have any RCRA waste.  
21 So our waste classification was all Class 2 at Fill site  
22 1, and it was all Class 1 at one, so that kind of  
23 counterbalance. We also had really positive cost  
24 savings by Doyle bringing in a fair amount of soil.

25 It was just good all the way around. Not only

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1 did it -- is it more sustainable because we're using  
2 native Presidio soils to refill all the sites on the  
3 Presidio we're not trucking it all over the place, so  
4 it's just trucking it within the Presidio. It saved and  
5 helped the Doyle Drive project; there were cost savings  
6 because they're not taking it off site and we're not  
7 importing, so the timing we were very lucky and we are  
8 stockpiling soil from Doyle, and we are going to  
9 continue to do that to a certain extent -- to a  
10 reasonable extent because as they generated throughout  
11 the winter -- I don't think they're planning to stop  
12 much of their construction.

13 MR. WRIGHT: No. No, they can't.

14 MS. FANELLI: We're going to take as much of  
15 the colma sands as we can and stockpile them for  
16 finishing here next year because the lower area, the  
17 lower terraces are not backfilled all the way, are they?

18 MR. WRIGHT: No, they're not.

19 MS. FANELLI: So we're going to have to bring  
20 in some fill there, and then the serpentinite slope does  
21 need to be backfilled, both where the trail comes in the  
22 track which will be the track for the interim that slope  
23 needs to be filled and a little bit more fill needs to  
24 go in the upper portion. And we don't have any  
25 serpentinite left available to us to grade on the site,

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1 so we'll bring in that serpentinite from Doyle and  
2 replace it, and then it'll be ready for native plant  
3 habitat and planting. So that worked out well.

4 MS. MONOGHAN: Can I ask a question about the  
5 terraces?

6 MS. FANELLI: Yeah.

7 MR. WRIGHT: Yes.

8 MS. MONOGHAN: If you're going to finish the  
9 terraces, are we going to plant them this winter?

10 MS. FANELLI: We're reserving that with Peter  
11 Ehrlich, the forester. We certainly could. We have  
12 planned for temporary irrigation into this area, and  
13 that's a simple project. It's a pipe trencher running  
14 it across the trail and then running lines to the  
15 terraces so we're prepared to do that. If we get decent  
16 January weather, it's not too wet, I wouldn't have any  
17 problem -- because they don't have to open up any fabric  
18 or big areas to do that. It's a simple job.

19 And then we could plant because he'd have his  
20 irrigation in place after the winter, but we're

21 deferring to Peter so when Peter decides he wants to  
22 plant, we'll plant. He has -- he has propagated all of  
23 his trees, and we had made arrangements for nurseries to  
24 hold the trees and up pot them as necessary. If they  
25 don't get planted now or in the next four or so months

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1 to the following fall, then they'll be planted then.

2 MS. MONOGHAN: Thanks.

3 MS. FANELLI: Mountain Lake. I don't have any  
4 pictures of Mountain Lake. We are working on Mountain  
5 Lake and have been for the last, oh, I'd say nine  
6 months, and just recently reengaged with DTSC on  
7 Mountain Lake, so if you remember we completed a soil  
8 investigation of Mountain Lake back in 2001. That was  
9 prepared by URS, and followed up with the main  
10 installation feasibility study in 2003.

11 And based on the 2001 data, the 2003  
12 feasibility study identified sediment removal due to  
13 lead contamination, among other assorted metals and some  
14 pesticides, but the lead was the driver. Sediment  
15 removal to remove those contaminants. Then we did a  
16 little bit of work in 2005, 2004 -- published the report  
17 in 2005. That was before my time. What I understand,  
18 it was to answer some data gaps and specifically looked  
19 at construction-type issues. How would you dewater the  
20 sediments once you pulled them out? Would the sediments  
21 classify as a hazardous waste once you pulled them out,  
22 those kinds of question is what the 2005 report  
23 generally looked at and then nothing really much

24 happened.

25 We reengaged URS -- and we talked about it at

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1 one of the RAB meetings. It was probably about a year  
2 ago that we talked about it. We reengaged them I'd say  
3 about six months ago they really started getting  
4 serious, and what we have had them do is basically what  
5 I'd call an engineering analysis, and they've looked  
6 specifically at what type of dredging techniques would  
7 be best to remove the contaminated sediments, so they  
8 haven't done any sampling and at this point we're not  
9 proposing to do any additional sampling before we go to  
10 a wrap.

11 But they're looking at dredging by dewatering  
12 the lake, either in whole or in pieces by dropping sheet  
13 piles or other little sort of dams so that they can  
14 dewater a section, excavate it dry. They've looked at  
15 regular clamshell dredging from a barge in the lake, and  
16 I believe they've looked at one other type of dredging,  
17 I think maybe like sucking it off the bottom or  
18 something like that.

19 But they're doing this kind of analysis and  
20 they're looking at, again, engineering issues, how much  
21 time would it take, how much lay down area would we  
22 need. What would the traffic and the trucks look like,  
23 et cetera, how would we handle the water that we  
24 separate from the sediments once we've pulled them out.  
25 And they're doing that primarily in support of

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1 completing a draft wrap and the CEQA document that talks  
2 about the impacts of the construction along with the  
3 impacts of the remedy.

4 So we actually have a meeting scheduled next  
5 week with the Department of Toxics to review that draft  
6 analysis. And I'll tell what the story is behind it,  
7 but I don't know the punchline. I haven't seen any of  
8 the costs so I don't know what the final recommendation  
9 is.

10 Although, what I understand from just verbal  
11 discussions with Genevieve, who's managing that process,  
12 and a guy named Ken, who's the project manager for URS,  
13 is that the preference would be to try to do a dry  
14 excavation so to somehow either drop sheet pile or  
15 something that would allow them to dewater portions of  
16 the lake so that they can excavate it and the dry would  
17 be the preference.

18 We are targeting to get a draft wrap out early  
19 in 2011 DTSC has assigned Medy as the PM, and so that's  
20 what we're working with. And remedial construction  
21 would be scheduled sometime in the future, and that  
22 would likely happen after we resolve some of the ongoing  
23 legal issues.

24 So we should be seeing something on -- you all  
25 should be seeing something on Mountain Lake soon as soon

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1 as we run this engineering analysis through DTSC. I'm  
Page 39

2 sure we'll get their blessing and we'll get it published  
3 and begin to have conversations on it.

4 FACILITATOR KERN: Are there any upcoming  
5 milestones on the legal side that you could talk about?

6 MS. FANELLI: I believe natural resources that  
7 the first court -- well, the trials are scheduled, and I  
8 believe one is February of 2011 and the other is March  
9 or May, and I honestly forget which one is first. I  
10 think there has been some talk and the judge may be  
11 directing folks back to mediation one last try before  
12 trial, but depositions have been ongoing, file reviews  
13 have been ongoing, various motions have been filed, so  
14 the process is working itself out.

15 And I do believe that there is going to be a  
16 mediation particularly with Zurich (phonetic). I think  
17 that's the first one that's coming up, and the judge is  
18 looking to -- I don't know if the details have been  
19 worked out but to try to have a mediation in front of a  
20 judge, there's a -- I'll have to get the proper names.  
21 I think it's an administrative judge, and I'm not sure  
22 if it's binding or not, but it's -- I don't think it is,  
23 but to try to help get to a resolution before it goes  
24 forward to a real full-blown court trial.

25 MS. MONOGHAN: Looking at the work for next

1 year, Mountain Lake and Landfill E, is that a lot for  
2 Medy to keep spitting?

3 MS. FANELLI: I think Medy will be able to do  
4 it. She's going to be working those two sites. We are

5 looking at getting the draft wrap for Landfill E out in  
6 January as well. In addition, we are still working on  
7 Merchant Road and Baker Beach 1A and that's with --  
8 actually, I take it back.

9 So Medy is not doing Landfill E. That's  
10 Virginia. Medy is doing Fill site 1, Landfill 2, and  
11 Mountain Lake. So those will keep her busy because we  
12 will be going back to landfill site 1, Landfill 2 at a  
13 minimum with our planting plan and the irrigation.  
14 There may be some tweaks to some of the grading  
15 particularly in Landfill 2. We'll see, because we  
16 didn't get everything done this year.

17 MS. MONOGHAN: So who from DTSC will be doing  
18 E?

19 MS. FANELLI: E is being done by Virginia, and  
20 I don't remember Virginia's last name. Virginia is  
21 doing Landfill E, and she's also doing Merchant Road and  
22 Baker Beach 1A. So we are trying to move forward on  
23 Baker Beach 1A, in particular. Merchant Road, as -- I  
24 think so -- I mentioned last time is an unknown site,  
25 which is right now in my mind an army led site. We are

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1 acting as the army's contracting arm, but because they  
2 have responsibility for unknown sites, they are actively  
3 participating in directing the work that we do out  
4 there.

5 We also are kicking off 6B and Battery Howe  
6 Wagner, so we have Ryan managing geometrics, which is  
7 moving those two forward, and then Ryan, again, is

8 assigned to a 207231, and we are working on -- with  
9 Caltrans to schedule the 231 and the historic wall  
10 remediation no later than this coming spring, so we  
11 actually have a lot of things going on. It is going to  
12 be a very, very busy year.

13 FACILITATOR KERN: Well, I think that's  
14 important for the membership. If we could -- it might  
15 be really useful to put out a six-month schedule so we  
16 can start getting ready for looking at documents and  
17 things.

18 MS. FANELLI: I can certainly do that, maybe  
19 the next RAB, I'll try to. The next RAB should be the  
20 quarterly report, and I can try to do a focus six  
21 months' look ahead. That's all the slides.

22 FACILITATOR KERN: Thanks very much for those  
23 updates.

24 MS. MONOGHAN: That was useful.

25 FACILITATOR KERN: And for the review of those

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1 projects. We've been working on those for a long time,  
2 and it's really nice to see them making progress, so I  
3 appreciate your work on those sites.

4 MS. FANELLI: Thank you.

5 FACILITATOR KERN: Any other questions on item  
6 5? Item 6? Any word from DTSC about whether they would  
7 ever come back to the meetings?

8 MS. FANELLI: I spoke with Denise today as  
9 part of my bi-monthly phone calls, and I asked if they  
10 were attending tonight, and her hands appear to be

11 really quite tied based on staffing availability, and  
12 the hoops she has to jump through to allow staff to  
13 travel. But she certainly didn't say she would never --  
14 she didn't want to come back or she wouldn't come back.

15 FACILITATOR KERN: I guess I was thinking with  
16 a lot of the work that you were saying coming up, it  
17 might be -- maybe one thing we could propose is to go  
18 over there during a workday or something to at least  
19 have some kind of interaction. John?

20 MR. BUDROE: I find that DTSC saying that we  
21 can't make the meetings because we can't travel is  
22 bogus. That is completely -- this is not like this is a  
23 long way. The duty station is down on Heinz Street in  
24 Berkeley. They could take BART and MUNI over here.  
25 They can drive. I don't think this has anything to do

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1 with economics. This is a relatively new DTSC attitude  
2 of having to interact with the RAB. They're essentially  
3 just blowing us off.

4 I think we ought to consider it at the next  
5 RAB meeting whether we want to start putting together  
6 some kind of correspondence with the folks at the higher  
7 levels of either DTSC or Cal/EPA, which I'm looking  
8 forward to -- most probably a management change after  
9 January the 6th.

10 MS. BLUM: Manager change in?

11 MR. BUDROE: Cal/EPA. It's one of the things  
12 you get when they get a new governor.

13 MS. BLUM: Okay.

14 FACILITATOR KERN: Okay. Well, it's trying to  
15 get the word over to Denise -- maybe we can communicate  
16 with her as well ahead of that. At least make the  
17 effort and see how that works out. Then we can take  
18 other steps if we need to. But I think with a lot of  
19 decision documents coming up, we need to have some kind  
20 of communication going.

21 Agnes, anything from your side?

22 MS. FARRES: Yeah. We've been working closely  
23 with the Presidio Trust on their storm water controls,  
24 and we've been coming out a lot in the last couple of  
25 months to inspect all the different sites that are

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1 ongoing, and we're really pleased with Fill site and  
2 Landfill 2.

3 And Eileen reminded me that our monthly  
4 executive officers report which is on a road site  
5 actually shows Fill site 1 and Landfill 2 as an example  
6 of what kind of storm water controls we want to see at a  
7 construction site. So we're really happy with that.

8 FACILITATOR KERN: Good.

9 MS. FANELLI: We were happy to have the good  
10 press.

11 FACILITATOR KERN: And we appreciate that  
12 you're seeing us at these meetings so we can communicate  
13 our concerns to the water board. So thank you.

14 MR. CHESTER: What was the name of the  
15 consultant that was doing the design on the storm water  
16 who designed the whole landfill?

17 MS. FANELLI: The landfill construction --  
18 Fill site 1 Landfill 2, the designer of record is  
19 Kennedy James with Texon (phonetic), and they included  
20 the interim storm water controls. Shannon is a civil  
21 engineer with expertise in storm water, so he ground  
22 truths them and makes the tweaks that he needs to in  
23 consultation with the contractor and KJ when we need to  
24 make modifications.  
25 So we're real fortunate to have Shannon,

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1 actually. That's one of the reasons Shannon is here, so  
2 we want to make sure we have that expertise in the  
3 field.

4 MS. BLUM: I have a related question. Agnes,  
5 do you also work with the Doyle Drive Project and their  
6 storm water manager, or is that another --

7 MS. FARRES: That's a different staff person,  
8 but we definitely coordinate. We have one staff person  
9 at the water board who just works on Caltrans projects,  
10 so he's tied into the Doyle Drive Project.

11 MS. BLUM: Would a third person be working on  
12 a Presidio-wide storm water manager plan or?

13 MS. FARRES: For non-surplus sites, our storm  
14 water division would be handling their storm water  
15 permits and controls.

16 MS. BLUM: Okay. Thank you.

17 FACILITATOR KERN: Very good.

18 Is there any new business?

19 MS. FANELLI: I have a question. You're

20 planning a meeting, I believe is the Tuesday before  
21 Thanksgiving. Are you all going to hold it? That's  
22 fine. I'm here that week. I just want to check with  
23 you.

24 FACILITATOR KERN: I think that was something  
25 that we usually decide every year on a case-by-case

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1 basis. How do people feel about having one this year?

2 MR. CHESTER: I think I'll be absent.

3 FACILITATOR KERN: There is a chance that I  
4 actually might be absent as well for that, given that I  
5 would be a couple of hours away and then need to go a  
6 couple of hours back, so I'd be traveling two hours to  
7 get to the meeting, so I personally could avoid that,  
8 that would be nice, but if people see a good reason to  
9 have that meeting, we can certainly do it.

10 MS. MONOGHAN: I don't think so.

11 MR. BUDROE: Just make the drive, Doug.

12 FACILITATOR KERN: Make the drive. All right.  
13 I'll do it.

14 MR. BUDROE: I was being facetious.

15 FACILITATOR KERN: I think given we're kind of  
16 wrapping up Fill site 1 Landfill 2, there's no real  
17 document coming out really in that time frame, so I  
18 don't see really the need right at that moment, given  
19 the holidays that week, so it might be best for  
20 everybody and then we would have the one December  
21 meeting hopefully to get us, you know, if we could use  
22 that meeting to get us oriented for what's coming up and



23 prepared because people will detach from all this, go on  
24 their holidays, but then we can set it in everybody's  
25 mind what's coming up for the new year and be ready and

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1 motivated and prepared for what's come.  
2 MS. BLUM: That's the 14th. December 14.  
3 That would probably be the last RAB meeting of the year.  
4 FACILITATOR KERN: It would be, yeah. Right.  
5 MS. FANELLI: So we'll do the quarterly  
6 report, we'll include a schedule. We have an updated  
7 feasibility study that's being reviewed by DTSC right  
8 now that will probably be preliminary. We're working  
9 through a couple of issues with them. That will  
10 probably be out before the December meeting, so the  
11 December meeting may be a good time to do that quick  
12 look ahead on schedule. And I would suggest that I  
13 think Denise at DTSC does have some real constraints and  
14 if you call and ask her about attending, give her some  
15 specifics that help her.  
16 FACILITATOR KERN: Sure absolutely.  
17 MS. FANELLI: Do justifications, whatever she  
18 has to, whoever she has to answer to.  
19 FACILITATOR KERN: Right. Well, I'm just  
20 thinking for the items that you ran down we've certainly  
21 got, you know Mountain Lake is now sitting out there  
22 pending legal issues, and we do have potentially coming  
23 up consideration of several different alternatives of  
24 what to do and those are technical issues that would be  
25 good to review with DTSC with some public input it would

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1 seem.

2                   You mentioned the Merchant Road, Baker Beach  
3 1, we've got Landfill E coming up -- that's a huge  
4 potential deal. Battery Howe Wagner and 6B. That's six  
5 sites.

6                   MS. FANELLI: And 207231. So they're all  
7 happening as we speak.

8                   FACILITATOR KERN: So that's a huge amount of  
9 stuff and these are all worthy of input and discussion  
10 and I would think, given that kind of workload, we tell  
11 her these are things we need to talk to you about.  
12 Hopefully that would be some justification for setting  
13 up some interactions.

14                   So action items, we certainly have  
15 communicated with DTSC for work coming up in the future  
16 and agenda items, we have a number of things for  
17 December. We've got the quarterly report potential  
18 review of the RAB that you were --

19                   MS. FANELLI: Feasibility study.

20                   FACILITATOR KERN: Feasibility study, yeah,  
21 and then maybe review of the schedule of looking out six  
22 months and perhaps if Denise or her representative can  
23 be there, we can talk about all these other projects and  
24 how we might most effectively interact on those, so  
25 that's a strong agenda for December.

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11-9-10 RAB meeting.txt

1           Anything before we close tonight for the good  
2 of the order? Again, thanks to all of you for coming  
3 tonight.

4           Without objection, meeting adjourned.

5           (The meeting concluded at 8:27 p.m.)

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I, the undersigned, hereby certify that the discussion in the foregoing meeting was taken at the time and place therein stated; that the foregoing is a full, true, and complete record of said matter.

I further certify that I am not of counsel or attorney for either of any of the parties in the foregoing meeting and caption named, or in any way interested in the outcome of the cause named in said action.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

-----  
SARAH GOEKLER, CSR No. 13446

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
TUESDAY, DECEMBER 14, 2010  
OFFICER'S CLUB, BUILDING 50  
PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR RPR  
License No. 5527

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1 ATTENDEES

2 RAB Members:

3 Doug Kern, Facilitator  
4 Mark Youngkin  
5 Eileen Fanelli  
6 Terri Thomas  
7 Agnes Farres  
8 Jan Blum  
9 Toni Kramer  
10 Julie Cheever  
11 Barbara Newton  
12 John Chester  
13 Jim Ketcham  
14 John Budroe

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15 BE IT REMEMBERED that, pursuant to Notice  
16 of the Meeting, and on December 14, 2010, 7:07 PM at the  
17 Officer's Club, Building 50, Presidio of San Francisco,  
18 California, before me, MARK I. BRICKMAN, CSR No. 5527,  
19 State of California, there commenced a RAB meeting under  
20 the provisions of the Presidio Trust.

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1	AGENDA	
2		Page
3	1) Welcome and Introductions - Doug Kern:	4
4	2) Agenda Discussion and Approval:	4
5	3) Announcements and Old Business:	4
6	4) Discussions & Presentations:	
7	A. Landfill 2, Fillsite 1 Update	14
8	B. Landfill E, Merchant Road, Baker Beach	
9	Sites Update	14
10	5) New Business	
11	A. DTSC Presidio public participation	42
12	B. Six-month schedule of future	
13	document releases - covered	
14	6) Regulatory Agency Status Updates	
15	Denise Tsuji, California DTSC - Not present	
16	Agnes Farres, California RWQCB - None	
17	7) New Business - None	
18	8) Public Comment - None	
19	9) Review of Action Items:	62
20	10) Agenda Items for Upcoming Committee Meeting - skipped	
21	11) Adjournment:	68

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1 FACILITATOR KERN: Good evening, everyone.  
2 Welcome to the Presidio, Presidio Restoration Advisory  
3 Board meeting, our last meeting for December 2010, the  
4 last meeting for 2010. Welcome to the Presidio Trust.  
5 I'm not seeing the Park Service. Agnes and the Water  
6 Board, and community members, thank you very much for  
7 coming out on this cold night.

8 Are there any changes to the agenda?

9 MS. MONAGHAN: Addition.

10 FACILITATOR KERN: Addition, yeah. We  
11 might add the quarterly project status report. Maybe we  
12 can even start with that.

13 MR. YOUNGKIN: It sort of encompasses  
14 2010.

15 FACILITATOR KERN: It does. So we'll have  
16 that.

17 Any announcements?

18 All right. Then let us proceed with item  
19 number 4 and however you would like to --

20 MS. FANELLI: I'll start, because this  
21 will provide some landfill 2, fillsite 1 update and then  
22 I can respond to item B.

23 FACILITATOR KERN: Sure.

24 MS. FANELLI: The -- I sent out the  
25 quarterly report -- I think it was a few weeks ago -- and



♀

1 I know you got it, because Jan, you sent me some  
2 questions.

3 MS. BLUM: I did?

4 MS. FANELLI: So I'll be prepared if you  
5 ask me more.

6 MS. BLUM: Okay.

7 MS. FANELLI: We'll cover the milestones,  
8 cost to date, summary, schedule performance and then  
9 basically where we are and where we think we're going to  
10 be next quarter.

11 This should say fourth quarter milestone.  
12 It says third. You can see that I cut and pasted here  
13 and I didn't cover the title. The fourth quarter hasn't  
14 started yet.

15 Basically we completed landfill 10 and GA-9  
16 remedial construction, so we're very pleased with that.  
17 We also completed year one remedial construction at  
18 fillsite 1 and landfill 2.

19 We have -- I have buttoned up the sites for  
20 the interim period and I have some photographs for you to  
21 take a look at.

22 We initiated a feasibility study to look at  
23 remedial alternatives, and I can give you an update on  
24 that, and we did complete additional elements for the  
25 work plan or landfill E and are moving forward with an

♀

1 update on, feasibility study and Draft RAP for that site.

2 On petroleum, we submitted a further first  
3 action request for tank 1213.1, our big accomplishment,  
4 and we did receive Regional Board closure for multiple  
5 tank sites, I believe in 6.

6 So we do have a few to-dos on petroleum in  
7 the Trust right now responding to some questions on FDS  
8 closure submittals that have been previously sent in, and  
9 we've reviewed some of our data so that it meets standard  
10 presentation formats and it's easier to review and  
11 understand information, but other than that, the only  
12 real remaining big site we have, I believe, is the 207/  
13 231.

14 And on lead-based paint, I believe, we have  
15 issued the data report and we have submitted several no  
16 further action requests on lead-based point and we've  
17 received DTSC closure on approximately 85 sites, so  
18 things are moving ahead there, too.

19 This is our budget from third quarter. The  
20 top number estimate at completion has increased by a  
21 couple million dollars. That increase was driven by some  
22 adjustments to landfill 10, fillsite 1 and landfill 2.

23 So we are looking at about a 32 million  
24 dollar shortfall, excess cost that at this point would be

25 covered under the RSL or the real policies that we have

6

♀

1 with Zurich.

2 This is the high-level summary. We have  
3 spent to date over a hundred million dollars on this  
4 program. We are at about 82 million on allowable costs  
5 for the RSL policy.

6 And the projects with the greatest period  
7 activity are not surprising. 8, 10. I'm surprised that  
8 it says 8 and not GA-9, but there are some delayed costs  
9 on 8, so I'll have to check that. That's likely what it  
10 is.

11 Finishing up 10, 9, 8 and then fillsite 1  
12 and landfill 2 had some significant costs, and we  
13 completed obviously the planning work on landfill E. Not  
14 all the planning work, but the site investigation  
15 investigate work, and then 207/231, we're still getting  
16 some lingering invoices in from when we did the soil  
17 removal back in June and July.

18 FACILITATOR KERN: What would be the --  
19 since we're over the hundred million and then we had  
20 reimbursement to us from the insurance, what would be --  
21 you kind of flashed by it. I didn't notice what would be  
22 potentially in the bank.

23 MS. FANELLI: You mean cash in the bank?

24 This is not a cash accounting. I believe there's  
25 seventeen or nineteen million.

7

♀

1 FACILITATOR KERN: And the projection for  
2 when that would be depleted and then the insurance issues  
3 would be --

4 MS. FANELLI: We're looking at reaching  
5 the hundred million dollar mark in allowable costs  
6 sometime the first quarter of fiscal year 12.

7 FACILITATOR KERN: And that would be this  
8 upcoming October or is that --

9 MS. FANELLI: Yeah. That would be first  
10 quarter 12, so sometime in first quarter 12. So sometime  
11 towards the end of 2011.

12 MR. YOUNGKIN: Is this showing we're under  
13 budget on landfill 8?

14 MS. FANELLI: Yes.

15 MR. YOUNGKIN: And that would be 10, too?

16 MS. FANELLI: When we do our budgets.

17 They are conservative budget. We do that on purpose  
18 because we want to disclose the potential liability.

19 So we're following guidance from our  
20 financial department, and we also carry contingencies.  
21 So we take the budgets pretty seriously. It's not like  
22 we're trying to set them so high that we can't fail, but

23

we also want to be realistic.

24

MR. YOUNGKIN: So that 32 million for the

25

insurance right now, that's a cumulative to date cost?

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♀

1

MS. FANELLI: That's our estimate at this

2

point, that we'll be in excess of the -- the 32 million

3

actually isn't the liability number relative to the

4

policies per se and it's not broken out between the RSL

5

and the real.

6

That's the total aggregate, but it's the

7

amount above and beyond the cash and the interest and the

8

reimbursements that we have to date.

9

So the majority of that we believe will be

10

reimbursed either through the RSL policy, because it's a

11

known site and it's just over the hundred million self-

12

insured retention, but it's an unknown site that would be

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reimbursed either through the Army or through Zurich's

14

unknown policy. Or it will be funded by the Trust.

15

If it's labor dollars, those are total

16

costs. So labor dollars for my staff is covered by the

17

Trust. A large chunk of it is office expenses. Things

18

like that are covered in that number. So that's really

19

an aggregate number.

20

FACILITATOR KERN: I think you said we had

21

about eighteen or nineteen million or so available and we

22 were at about 82 million in allowable costs.

23 MS. FANELLI: Mm-hmm.

24 FACILITATOR KERN: So if what we spend  
25 from here to next year about this time is allowable

9

♀

1 costs, that would kind of equal a hundred million, and  
2 then that's -- how would we -- how would that assume we  
3 would pay for the next things since we get reimbursed  
4 from the insurance?

5 MS. FANELLI: We're not sure whether or  
6 not the insurance would actually pay in advance or if  
7 we'd be reimbursed. That's a discussion with the  
8 insurance company that's ongoing.

9 FACILITATOR KERN: I see. Okay. So they  
10 might actually pay in advance?

11 MS. FANELLI: Mm-hmm. The -- sort of an  
12 allegory is your car gets into a fender bender and you  
13 call your insurance company. Most cases, you don't pay  
14 to repair it. You take it to the shop and the insurance  
15 company pays to repair, pays the cost directly.

16 So it can work both ways, and there are  
17 instances on other insurance policies where the company  
18 has paid in advance.

19 FACILITATOR KERN: So we might be able to  
20 submit an invoice to the insurance company directly?

21 MS. FANELLI: Yes. That's an option, but  
22 it has not been formalized at this point.  
23 FACILITATOR KERN: I see.  
24 MS. KRAMER: I just have a question.  
25 Maybe I missed this, but it looks as though fillsite 1

10

♀

1 and landfill 2, the budget was much higher than what  
2 was --  
3 MS. FANELLI: There's an actual delay in  
4 our costs.  
5 MS. KRAMER: Okay. So those -- okay.  
6 MS. FANELLI: Right. These are actual  
7 cash that I'm showing you --  
8 MS. KRAMER: Okay.  
9 MS. FANELLI: -- through here.  
10 I think that that's actually going to come  
11 in under budget. That's what I'm hearing from the  
12 project managers right now, but indeed I know that I  
13 approved an October invoice on the order of 3.5 million  
14 dollars. So those numbers are going to go up.  
15 MS. KRAMER: Okay.  
16 MS. FANELLI: I think that's the extent of  
17 the costs, but you do have a detail sheet if you have any  
18 additional questions on the finances.  
19 In terms of schedule, we basically

20 completed the site work on the RAP4 sites with the  
21 exception of CHP range on October 15th, and EKI is  
22 actually completing the construction documents for the  
23 CHP range and we have an 2011 target construction date  
24 for that.

25 On RAP5A-1 and 2, we finished year one

11

♀

1 waste removal and site grading on November 19th, and we  
2 are now in a monitoring and maintaining the site phase.

3 We are lightly tweaking our final grading  
4 plans. We do have to complete the irrigation plans and  
5 the planting plans for the different sites.

6 We have construction that still needs to be  
7 completed at landfill 2, and we're hoping to get those  
8 design documents updated, anything else we want to  
9 update, and then be back in construction as soon as the  
10 weather is permitting in the springtime.

11 MS. KRAMER: So the irrigation  
12 installation, that comes out of a separate budget?

13 MS. FANELLI: This is temporary irrigation  
14 to establish plants, so it does not in this particular  
15 case. Permanent irrigation would be likely if it was --  
16 if it were replacing in kind something that was there  
17 before.

18 But allowable costs include reasonable and



19 necessary to get vegetation establishment at the site,  
20 and so in the case of a historic forest in particular, we  
21 require temporary irrigation in some of the landscape  
22 zones.

23 Usually in the native plant zones, we don't  
24 irrigate unless there's a special need, and I turn to  
25 Terri to tell me what needs to be irrigated in the native

12

♀

1 plant zone or not.

2 MS. BLUM: I'm thinking about the costs.  
3 You told us a couple times you're not using Cattlemen  
4 anymore because of the unstable state of that lawsuit.

5 So would trucking this material off to Utah  
6 commensurately increase the cost of cleanup or is it  
7 about the same?

8 MS. FANELLI: It's a good question. You  
9 know, it depends on the climate at the time of the bid.  
10 You would think intuitively that taking it further is  
11 more expensive.

12 Often it goes by rail car, which is a  
13 little cheaper than trucks.

14 MS. BLUM: Mm-hmm.

15 MS. FANELLI: So I can't answer you  
16 exactly. In some cases, it costs us more and other  
17 cases, it doesn't.

18 MS. BLUM: Nothing that's going to really  
19 jar the budget, it sounds like.

20 MS. FANELLI: It hasn't so far.

21 MS. BLUM: Tweak it, but not necessarily  
22 gouge it.

23 MS. FANELLI: If they're completely shut  
24 out and the business climate is that the landfills out of  
25 state can charge what they want to charge, that might

13

♀

1 indeed begin to increase the budgets.

2 MS. BLUM: That's not the climate right  
3 now, though; is it?

4 MS. FANELLI: We did not see that in the  
5 costs for fillsite 1, landfill 2. Now, in other  
6 situations, maybe we will see increased costs.

7 MS. BLUM: Okay. Thank you.

8 MS. FANELLI: For landfill E, we are in  
9 the process of updating the feasibility study which will  
10 append the data report for all the information we've  
11 collected since last summer.

12 We are anticipating a Draft RAP sometime  
13 towards the end of January.

14 On what we call RAP5-C, which is the Baker  
15 Beach 2 site, we do have a contractor, SCS on board.  
16 They've been preparing the data gaps analysis, and based

17 on that will make some recommendations for any additional  
18 site characterization in anticipation, then, of  
19 collecting enough data to get a RAP pulled together.

20 The schedule for that, though, is a little  
21 bit delayed. we're looking to see that RAP sometime  
22 towards probably the latter half of 2011.

23 Merchant Road is active. It's an unknown  
24 site. The Army is actively involved, and as we've  
25 reported, the Trust is serving as the Army's

14

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1 implementation group, and at this point, we're working  
2 through the CERCLA process, the DTSC and the Park  
3 Service, and trying to develop a -- we have a data  
4 report.

5 We have the results of analysis that have  
6 been completed, but work that into a -- a feasibility  
7 study to evaluate the necessary remedial actions.

8 In first quarter FY-11, we did kick off  
9 RAP6-B more formally than in the past. We have  
10 Geomatrix/AMEC, the RAP3 consultants working on the data  
11 gap analysis for those two sites and the site  
12 characterization.

13 They've just gotten started, but we're  
14 hoping to have their analysis in the next month or so and  
15 be able to report on those sites.

16 And then on Mountain Lake, URS is  
17 completing an evaluation of engineering alternatives for  
18 remediation of lake sediments. We have an aggressive  
19 schedule for a Draft RAP in February 2011, and we'll see  
20 if we meet that.  
21 The remedy is removal of the lake sediments  
22 and we're relying on the feasibility study for that  
23 analysis.  
24 Those are the key items that we're working  
25 on.

15

♀

1 MS. NEWTON: Is 8B gone?  
2 MS. FANELLI: It's not gone. It's just  
3 not on the schedule right now. We're scheduled. We're  
4 just not actively working on it right now.  
5 MS. MONAGHAN: The construction on the CHP  
6 range, is that weather dependent?  
7 MS. FANELLI: It is, because it's a soil  
8 removal.  
9 MS. MONAGHAN: Oh, it is? Okay.  
10 MS. FANELLI: We're looking to actually do  
11 that construction most likely in August of 2011.  
12 MS. NEWTON: Which one was that, Jan?  
13 MS. MONAGHAN: CHP range.  
14 MS. FANELLI: It's not a large excavation

15 project. It's an estimated 400 yards or so of material.  
16 There are some trees and they have to knocked down and  
17 they're in area A, so we're targeting August.

18 It's the end of bird nesting season, so we  
19 will go in and remove the vegetation and trees at that  
20 point and do the soil excavation at the same time.

21 MS. CHEEVER: Could I ask about my  
22 favorite subject, landfill 8 and how the planting is  
23 going there?

24 Because as of right now, it seems like only  
25 one-fourth or fifth of that was planted.

16

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1 MS. FANELLI: Terri.

2 MS. THOMAS: It wasn't planted as much as  
3 it was seeded.

4 MS. CHEEVER: Okay.

5 MS. THOMAS: So there was a lot of seeds  
6 collected, annuals for the site.

7 MS. CHEEVER: Good.

8 MS. THOMAS: Since it's an endangered  
9 species recovery area for lyssingia, we wanted to make  
10 sure that there was enough empty sand so that it would  
11 grow. We basically did that seeding.

12 MS. CHEEVER: Did you say lyssingia or  
13 other things?

14 MS. THOMAS: We seeded lyssingia or other  
15 things. A lot of other things, actually. I don't  
16 actually know how many species.

17 So if it works the way we hope -- the  
18 germination's been a little slower, although I hear  
19 there's a big rain coming out. There should be  
20 wildflowers coming up in the spring. We just thought  
21 they'd do better by seed.

22 MS. CHEEVER: That is why the parts  
23 planted tend to be the slopes?

24 MS. THOMAS: Yeah.

25 MS. CHEEVER: Because it would help with

17

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1 erosion or whatever.

2 MS. THOMAS: That's right.

3 MS. CHEEVER: I'm looking forward to the  
4 spring.

5 MS. THOMAS: I'm glad you're interested in  
6 that site. I'm interested, too.

7 MS. FANELLI: These are actually pictures  
8 I showed -- now's the slide show and I just have a few  
9 pictures. I showed this last time in November because we  
10 were substantially -- we were complete, basically.

11 So you can see some of the plants that were  
12 planted earlier last year coming up. The site has been

13 planted, and I understand from Lew that they're doing  
14 very well, although they're very itty bitty still, but  
15 they're doing well, and you can see off to the far left  
16 there, the final erosion controls and measures that were  
17 placed in that northernmost swale.

18 That's a look at it from another angle, and  
19 the planting at the top has been going on this week, as a  
20 matter of fact.

21 So there's been a lot of activity since  
22 this photograph putting in the plants along the top deck.  
23 Some of them again are very tiny. Some of them that are  
24 in the planter areas I believe are a little bit larger.

25 But the native plants were all propagated

18

♀

1 at the nursery. They were maintained partially by the  
2 watershed nursery in Berkeley and then brought back just  
3 a week or so ago, and Lew's been directing their  
4 installation.

5 And then you can see all the erosion  
6 controls there in our swale area, and we're conducting  
7 routine monitoring of all of these final erosion controls  
8 in advance and after rainfalls, and I believe because  
9 there is a quite heavy rain predicted for Friday and  
10 Saturday.

11 We have ERRG on board to do our

12 inspections, and we might actually hopefully get them out  
13 during the storm event to take a look and monitor what's  
14 going on.

15 MS. BLUM: This would be on the site as  
16 well as landfill 1 and 2? I mean, any site that's --

17 MS. FANELLI: Yes. 1 and 2 is being  
18 monitored by EPI.

19 MS. BLUM: Okay.

20 MS. FANELLI: -- the contractor.

21 I showed this one, as well. Much simpler.  
22 This is graded area 9. This is the swale that was  
23 constructed, and all the sites have performed well since  
24 we buttoned them up, and we're pretty pleased with that.

25 And on graded area 9, you guys just

19

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1 completed putting a fence around that. We had a little  
2 bit of trespassing. We had some trucks that were driving  
3 around the gate and then around the temporary chain link  
4 fence on top of the sand to bypass that, but now we have  
5 a fence up that hopefully will --

6 MS. NEWTON: Truck?

7 MS. FANELLI: Big pickup trucks.

8 FACILITATOR KERN: They were cutting  
9 through the housing or something?

10 MS. FANELLI: Yeah. Pretty much.



11 MS. NEWTON: To the housing?  
12 MS. FANELLI: Yeah. Right there. So the  
13 road would be off to this side. Yeah, so there's the  
14 dunes, and I'm not sure.  
15 Do you want to talk about the planting?  
16 MS. THOMAS: It's also just been seeded.  
17 The dunes are different than landfill 10. We wanted to  
18 solidify -- erosion control is slow, but these we want  
19 some movement, so we seeded graded area 9, too. You  
20 should see the little baby things coming.  
21 MS. BLUM: Is the fencing permanent,  
22 substantial or is it just --  
23 MS. FANELLI: Post and cable.  
24 MS. THOMAS: We ended up putting up post  
25 and cable for prevention.

20

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1 MS. BLUM: I know in the community garden,  
2 there was some off-roading going on just for the fun of  
3 it. It doesn't seem like people really get where the  
4 roads are sometimes.  
5 FACILITATOR KERN: This will be a good  
6 dune buggy area.  
7 MS. THOMAS: And landfill 8, too, we ended  
8 up putting a curb in where that old road used to be just  
9 to make sure that people didn't get in there.

10 MS. FANELLI: Right. I hope you all got a  
11 chance to take a look at fillsite 1, landfill 2. These  
12 were taken just around the 19th of November, so they're a  
13 little older, but it shows the site and how we left it.

14 This is standing at the end of quarry trail  
15 right before you make the bend around to landfill 2  
16 looking at fillsite 1, and we had hydroseeded it with  
17 sterile wheat grass -- you can see the green grass coming  
18 up -- and covered our site with erosion control fabric.

19 There's a view looking the other direction,  
20 and if I can tell you, we basically got to our interim  
21 design grades on fillsite 1, and on landfill 2, we didn't  
22 quite finish everything we had hoped to, but we did get  
23 all of the waste out.

24 So the work that was completed, you can  
25 see -- I'm going to stand up here and point it out. This

21

♀

1 area here's the upper terrace. The trail comes in this  
2 direction, wraps around here, and that is approximately  
3 the footprint of the future MUT trail, multi-use trail.

4 These are the forest area. There's nice  
5 loose uncompacted Doyle Drive sand behind these terraces,  
6 and this area here was not completed.

7 This still has to receive some fill. Right  
8 now there's a fenced area where the contractor is keeping

9 his equipment temporarily over the wintertime.

10 The serpentine slope here and coming here  
11 still needs to have fill placed in it. That serpentine  
12 is coming from the Doyle Drive excavation, as well.

13 We currently have all of it. It's  
14 stockpiled either at Pop Hicks Field or up at the Nike  
15 site, so when weather's permitting, we'll be able to go  
16 back in and place it.

17 You can see here that we couldn't build  
18 this road back up here. Actually the trail doesn't  
19 exist, and we ended up putting in a temporary lower  
20 trail.

21 So this area's like a wedge fill, and when  
22 we get that completed, this lower road goes away, and the  
23 original trail that was up where these vehicles are will  
24 be put back into service.

25 So that's work that we have to do there,

22

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1 and then the new stream channel will be constructed  
2 coming through here and discharging and working into the  
3 existing wetland area there.

4 Because we didn't get this stream channel  
5 in, you see the black pipe. That black pipe's the same  
6 one that we had in service last year. Currently storm  
7 water from up above and from Arguello comes along the

8 side of this -- the former trail here.

9 So that ditch is in place. It drops into a  
10 pipe here that is buried now and then it pops out here  
11 and it discharges directly down to El Polin Spring. So  
12 when we're done, that pipe will be taken out of service,  
13 as well.

14 And you can see this nice picture of the  
15 grass that's coming up. This feature right now is taking  
16 storm water runoff from primarily Julius Kahn Field and  
17 is protecting the rest of that hole from significant  
18 erosion.

19 MR. CHESTER: How does the sterile wheat  
20 grass perform? Is that a -- does it die off next year?

21 MS. FANELLI: Yes. Most of it dies off.  
22 I know Terri's had occasions where some of it pops back.  
23 It's not --

24 MR. CHESTER: It's designed just to be  
25 temporary?

23

♀

1 MS. FANELLI: Yeah. I don't believe that  
2 we specified a very heavy concentration of the grass,  
3 because you can see it's a little patchy. We'll see. I  
4 mean, the subsoils that we put back on the slope came  
5 from depth, so I don't think they have a lot of -- any  
6 wheat seed or any material that will pop up. It could.

7 I kind of would have expected a denser  
8 green by this time, to be honest with you. So I don't  
9 think that we had a very heavy concentration of seed in  
10 that hydro mix.

11 You can see the trail. You can see the  
12 fabric. Trails are open, so you can walk through here.  
13 We didn't take out the construction fencing around the  
14 site, but we did open it so that hikers can walk along  
15 the trails through the site, and that's been open since  
16 November 19th.

17 The trails are a little slick. They're  
18 covered with wood chips, but they're not too much  
19 different than what they would have been beforehand.

20 MS. BLUM: Eileen, how about cubic yards  
21 of fill, whatever that material is, are you going to  
22 require to finish the site? You mentioned the serpentine  
23 soil.

24 MS. FANELLI: We have stockpiled about a  
25 thousand yards of serpentine soil. We're estimating

24

♀

1 about a thousand yards of import.

2 MS. BLUM: And that will also take care of  
3 the wedge?

4 MS. FANELLI: That's the wedge.

5 MS. BLUM: Oh, that is the wedge.

6 MS. FANELLI: That's the wedge.

7 MS. BLUM: Okay.

8 MS. FANELLI: We probably need another --  
9 not too much Doyle sands, but maybe a couple thousand  
10 yards, and we have that stockpiled, as well, for that  
11 area where there are cages.

12 MS. BLUM: Okay.

13 MS. FANELLI: There's a more close-up  
14 view. You can see the upper bowl area. You can see that  
15 lower area. That lower area where the plastic covered  
16 equipment is what's going to get filled a little bit more  
17 next season.

18 MR. YOUNGKIN: Is that forest?

19 MS. FANELLI: So forest basically comes  
20 all the way kind of across -- I don't have a plan map,  
21 but if you kind of drew a line between the two sites in  
22 half, that's the approximate, something like that, I  
23 think.

24 MS. THOMAS: It's changed a little bit  
25 because we were really lucky to get more native soil from

25

♀

1 the remedial action than we thought.

2 So there's more native soil in the native  
3 planting zone than we thought there was going to be. We  
4 thought it was going to be fill over fill instead of

5 right down to the native.

6 So we're in the process of adjusting a  
7 little bit, but basically it will follow quite a bit  
8 the -- the zones that there are now up through the middle  
9 of fillsite 1.

10 MS. FANELLI: Yeah. You can see that  
11 third wattle up. It's somewhere right about there, I  
12 think, approximately. Maybe a little bit further to the  
13 south than that towards Julius Kahn.

14 So we were pretty pleased that we got  
15 everything done, even starting a little later than we had  
16 wanted to, but have not so far gotten caught.

17 You see that little thing in the back  
18 there? That's the -- that's the incinerator that's going  
19 to be put back in place. So that's the historic  
20 incinerator.

21 MS. NEWTON: That little thing?

22 MS. FANELLI: That's the incinerator. So  
23 it's going to be put back.

24 MS. BLUM: Historic.

25 FACILITATOR KERN: Area for future

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♀

1 bonfires.

2 MS. FANELLI: This area ultimately will be  
3 planted, and our goal is to get this planted next year as

4 soon as possible, and irrigation will run through it, as  
5 well.

6 MS. CHEEVER: This is a minor point, but  
7 is the incinerator considered a historic artifact?

8 MS. FANELLI: This one is.

9 On lead-based paint, we were actually very,  
10 very busy. Nina was very, very busy. We did in the mid-  
11 summer through fall Infantry Terrace, the Portola  
12 neighborhood, the MacArthur neighborhood and Quarry Road.

13 So we have completed lead-based paint  
14 cleanups in all of those neighborhood and submitted them  
15 for closure and started assessment on the system amongst  
16 and Liggett neighborhoods.

17 MS. BLUM: Is that being done in  
18 conjunction with landscaping and storm water management?  
19 I've been up in this neighborhood and it looks like  
20 you're doing a big landscaping projects.

21 MS. FANELLI: They are -- in Portola, it  
22 is. In Infantry Terrace, their big landscaping will  
23 begin shortly and we came in in advance. I believe  
24 they're starting sometime after the new year.

25 Portola actually came right after us, so we

27

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1 did our work and then Michael Lam is managing that and  
2 doing some improvements there.



3 MS. BLUM: Is that a different budget,  
4 Eileen, the landscaping?

5 MS. FANELLI: Yes, it is.

6 So next quarter, we're finalizing our  
7 design for year two at fillsite 1, landfill 2.

8 We are hoping to have the preliminary draft  
9 F/S and Draft RAP out for folks, and we are hoping to  
10 complete the alternatives analysis for Baker Beach 1A and  
11 Merchant Road so that we can move forward with those two  
12 sites.

13 On petroleum, we're very close to getting  
14 all of the tank closures submitted to Agnes for review,  
15 and we're down to the Priority 8 tanks.

16 These are the unsubstantiated tanks, ones  
17 that were thought to maybe exist, and we've been  
18 following a process that I believe was established before  
19 I even arrived at the Presidio Trust to document that, to  
20 look into that process.

21 We are working on the construction  
22 documentation for the work we did at RU-207, but in the  
23 near future, we are looking at trying to kick off the in-  
24 situ work at the historical work, 228, and we'll get you  
25 some more information on that.

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1 But if you remember, we looked at in-situ

2 chemical and excavation.

3 We are settling on an in-situ treatment,  
4 but we are actually looking at a thermal treatment now  
5 and we're doing a little bench test analysis of that to  
6 confirm that it's going to work.

7 Agnes, maybe you could talk about it,  
8 because I know it's being done at a different Water Board  
9 site down in Fremont area.

10 MS. FARRES: I'm not familiar with that  
11 site. It's a different group.

12 MS. FANELLI: It's a different group, but  
13 AMEC's been working on this for us, and so we're  
14 completing that bench analysis.

15 We'll have another little sort of  
16 assessment on the different alternatives and be preparing  
17 a work plan to submit to Agnes to implement the in-situ  
18 thermal treatment.

19 And we figured we can do that soon in the  
20 wintertime. It involves installing probes into the  
21 ground, putting electricity through them, getting the  
22 ground unit about a hundred degrees C, kind of putting  
23 foam on the ground surface.

24 You volatilize the contaminants from the  
25 volatiles through carbon and basically remove them that

1 way.

2 We think actually it could be an answer to  
3 a lot of tough questions about disturbing the historic  
4 wall, disturbing the historic building next to it, being  
5 able to meet our cleanup levels in the types of soils and  
6 materials that we have there, and it's nicely set up  
7 because we can insulate the wall and insulate the top so  
8 we have kind of a nice way to protect the site and make  
9 sure that it works.

10 MS. NEWTON: What is that called?

11 MS. FANELLI: It's a thermal treatment,  
12 and I'm sure there's a name or a vendor name that I'm  
13 missing.

14 FACILITATOR KERN: Are there any potential  
15 side-effects from heating up soil in a place like that?  
16 It seems like things could expand or contract depending  
17 on if things are leaving the soil or things are -- you  
18 know, if there's clay.

19 It just seems like --

20 MS. FANELLI: Not really. It actually  
21 seems to be a lot more gentle, internal reaction than  
22 trying to force chemicals into tighter -- through a  
23 liquid delivery system into tighter matrices, but we are  
24 doing a bench test to make sure that for the types of  
25 soils we have, that we're going to be effective in

1 getting the volatilization. So they did drill and  
2 collect some additional samples and those have been  
3 submitted to the lab for the bench analysis.

4 FACILITATOR KERN: And this was thought  
5 about using this particular thing because of the higher  
6 concentrations or because the other injection wasn't  
7 going to work or an excavation wasn't going to work? I'm  
8 just checking in.

9 MS. FANELLI: The -- I do myself damage to  
10 give you prefluent. You can ask me all sorts of  
11 questions before I know it.

12 We did a bench analysis using the region  
13 ops or whatever the other chemical we were going to do  
14 and the results weren't that promising. It only gave us  
15 about a seventy percent reduction in an amount of time,  
16 so we were concerned that we would spend a fair chunk of  
17 change and not get as close as we needed to be to be  
18 protective of the environment.

19 So we went back and looked at well, let's  
20 sharpen our pencils on excavation and some other  
21 chemicals, and the excavation has a lot of iffyness to  
22 it, as well.

23 We can't threaten the wall. We would have  
24 to shore up the foundation of the building.

25 We could do it by driving sheet piles, but

1       then we'd be agreeing to leave a certain amount of  
2       contamination in place, because we couldn't go after it.  
3       So it had some problems, as well.

4               This methodology, we had known about it.  
5       We hadn't done a lot of research into it, so we started  
6       to at AMEC's suggestion, and we were actually pretty  
7       pleased to see that it has been used in the Bay Area.

8               So I know AMEC did speak to the Regional  
9       Board case manager for that site and it has been  
10      successful there.

11              So we thought it was worth looking at so  
12      that we could get closer to our cleanup levels and  
13      getting that material out of there given the inner bed  
14      sands and clays, et cetera.

15              FACILITATOR KERN:    Would there have to be  
16      an amended cap to do that kind of a treatment?  I  
17      remember hearing about that particular --

18              MS. FANELLI:    I don't know if there would  
19      have to be an amended cap.  We wouldn't do it before we  
20      submitted documentation and got approvals from the Water  
21      Board, obviously.

22              It's an in-situ treatment --

23              FACILITATOR KERN:    Uh-huh.

24              MS. FANELLI:    -- so I suppose that  
25      question is better directed to Agnes.

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1 MS. FARRES: Yeah. I would have to go  
2 back and look at -- I can't remember how specific the cap  
3 was.

4 Did it just identify in-situ treatment or  
5 did it specify that we would use a chemical? I'm not  
6 sure.

7 MS. FANELLI: I'm actually not sure,  
8 either. I think at one point it offered a range of  
9 alternatives --

10 MS. FARRES: Right.

11 MS. FANELLI: -- because it also talked  
12 about excavation.

13 MS. FARRES: The cap is pretty general, so  
14 I think what we've been doing so far is I've been getting  
15 addendums as you've been moving forward and that seems to  
16 be working.

17 FACILITATOR KERN: It would be really nice  
18 to see what kinds of results were achieved at other  
19 sites, you know, what the -- the conditions at that site  
20 were and where's the groundwater relative to the surface  
21 just for comparisons. It just might be nice to take a  
22 look at it.

23 MS. FARRES: Yeah. There's some  
24 preliminary information that you can find on our website.  
25 If you go to our executive officer's report for October

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1 2010, it's one of the success stories as mentioned.

2 And then, yeah, I can always look into it a  
3 little bit more and try and be able to answer questions  
4 next time.

5 I haven't talked to the case manager for  
6 this particular site, so I'm not really sure about the  
7 details.

8 MS. FANELLI: And this is just a preview.  
9 Obviously when we have some of the documents, it will be  
10 copied to the RAB, as well.

11 FACILITATOR KERN: I'm just imagining  
12 firing up some probes and sending electricity or  
13 something or heating the probes up down in the ground.

14 It just struck me as potentially an  
15 interesting thing. I haven't heard of that before, so  
16 you definitely excavated soil out here and thermally  
17 treat it and put it back in place.

18 MS. FANELLI: All righty. And so we're  
19 also moving ahead on our lead-based paint work, and  
20 that's accelerated, and I'm hoping will continue to  
21 accelerate into the future. I think that that is it.  
22 That is it.

23 So you asked about landfill E. I think we  
24 covered that a little bit. We're hoping to have a --  
25 we're doing tree removals as we speak. So the site

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1 obviously is closed, but if you walk up at off hours  
2 Barnard Avenue, you can see that we've completed the  
3 majority of the tree removals around the perimeter of the  
4 site, and that work, all the trees will be down by  
5 obviously the end of the year, and there might be some  
6 processing of the trees in January, but hopefully it will  
7 be completed fairly quickly.

8 And we are working on that feasibility  
9 study and Draft RAP, and those are scheduled to be out  
10 and published -- I'm really hoping by the end of January,  
11 beginning of February time frame.

12 So that will be the next big documents, set  
13 of documents that will come forward for you to look at.

14 FACILITATOR KERN: I wanted to ask you  
15 about the Baker Beach 1A data report.

16 MS. FANELLI: Mm-hmm.

17 FACILITATOR KERN: Do you remember ever  
18 seeing anything like that come by?

19 MR. YOUNGKIN: I don't remember.

20 MS. FANELLI: It was a preliminary data  
21 report that was provided to DTSC. I can check to see if  
22 you got copied on it.

23 FACILITATOR KERN: The last thing that I  
24 remember that was like a data report was, you know, we  
25 were working with Merchant Road stuff.



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1 MS. FANELLI: Mm-hmm.

2 FACILITATOR KERN: I don't remember Baker  
3 Beach 1A.

4 MS. FANELLI: Let me find out its status.  
5 It may be that it just hasn't been -- it's going to be  
6 issued as an appendix to an expanded RI type document,  
7 but the data is available, so -- and I know that it's  
8 been shared with DTSC. So I will check on that.

9 FACILITATOR KERN: And I think you  
10 mentioned for Baker Beach 1A the draft F/S RAP is under  
11 preparation.

12 Can you tell us what's currently being  
13 considered for that site in terms of a remedy?

14 MS. FANELLI: There's a whole range of  
15 remedies, so thanks for bringing me back to that.

16 The Baker Beach 1A is in. It's a known  
17 site, and I believe it was included in the 2003 F/S as a  
18 removal action, and it was -- that was based on an  
19 estimate volume at the time of 140 yards of material, of  
20 removing material.

21 Well, we sampled quite a bit for the soils  
22 in the area and have high PAHs that have -- have greatly  
23 increased the potential volume, as much as 10,000 yards  
24 of material.

25 That's a real fundamental change in terms

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1 of the endorsements and agreements that we have with  
2 Zurich, so in order to move the site forward and to  
3 document the reasonable and necessary elements of the  
4 work, we're updating the feasibility study, right.

5 Because the volumes and conditions have  
6 changed in terms of the amount of roofing materials in  
7 the soils over there.

8 And so we're looking at the range of  
9 alternatives from doing nothing, institutional controls,  
10 removal as identified and covering are basically the main  
11 categories and preparing an updated F/S.

12 And so that's still in the draft form.  
13 It's still basically an internal document that actually  
14 hasn't even been shared with DTSC at this point. It's  
15 internal with the Park Service and the Trust.

16 MS. BLUM: So that's reflected in the  
17 9-30-10 removal program and it costs two million dollars?

18 MS. FANELLI: No, it's not.

19 MS. BLUM: So this will be considerably  
20 higher.

21 MS. FANELLI: It could be.

22 MS. MONAGHAN: Slightly bigger.

23 MS. FANELLI: It's likely going to be much  
24 higher than that is what's currently in the budget.

25 FACILITATOR KERN: And is there  
Page 38

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1       potentially a trail through there?

2                   MS. FANELLI:   Yes.  There is a trail that  
3 goes through there now.  The conservancy is managing a  
4 project based on donor funding looking at various trail  
5 alignments.  They have not identified or finalized their  
6 plans in that area as of this date.

7                   FACILITATOR KERN:  There were a couple of  
8 sites on your chart, the Baker Beach 2 and the Merchant  
9 Road that didn't really have a date of those, just  
10 because you've got other things that are ahead of them.

11                   MS. FANELLI:  I didn't have a date on my  
12 slides, but they are scheduled in the quarterly report.  
13 Baker Beach 2A I believe is -- has the planning documents  
14 completed this year and is slated for construction in  
15 2012.

16                   Merchant Road we are hoping to do.  It's  
17 showing a remediation in 2011, basically.

18                   FACILITATOR KERN:  And then the Baker  
19 Beach, Battery Howe-Wagner and fillsite 6B?

20                   MS. FANELLI:  It's a little bit further  
21 out, and I know Jan has a schedule there.  So I didn't  
22 bring it.  I need to look at it to kind of --

23                   MS. BLUM:  Do you want to look at this?

24                   MS. FANELLI:  Did you print out the  
Page 39

25 schedule portion or --

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1 MS. BLUM: No.

2 MS. FANELLI: Never mind.

3 MS. BLUM: It's just a schedule.

4 MS. FANELLI: They're a little bit further  
5 out, but not much further out. Our schedule is trying to  
6 make the decision documents for the majority of the  
7 remaining sites by the -- the enumerated sites by the  
8 beginning of 2011 or -- excuse me. 2012. So within this  
9 next year -- oh, you did have it, great.

10 And then completing the remediation at  
11 landfill E at portions of 207/231, we're trying to get  
12 the 231 done and the historical wall done and Baker Beach  
13 1A, which is not costed correctly right here in here, but  
14 schedule-wise, that and Merchant Road were targeted for  
15 2011.

16 MS. BLUM: So on that schedule, also,  
17 you're estimating Merchant Road at about a half a million  
18 dollars or do you think it will be more than that?

19 MS. FANELLI: I don't know. I don't think  
20 it will be more than that.

21 MS. BLUM: More is more.

22 MS. FANELLI: I don't know if it will be  
23 more than that. There's actually debate at this point

24 whether or not there is a significant human health risk  
25 at that site. So that's being discussed.

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1 That is again the Army led site, so its  
2 schedule's a little uncertain because we're taking our  
3 cues from the Army.

4 Baker Beach 2 is in construction in 2013  
5 according to our current schedule.

6 MS. MONAGHAN: So that is the summer of  
7 2013?

8 MS. FANELLI: Right. And Battery Howe-  
9 Wagner we're looking at whatever remediation is necessary  
10 there in 2012.

11 FACILITATOR KERN: With respect to  
12 Mountain Lake, hopefully I think you were saying you're  
13 shooting for February to get the Draft RAP.

14 MS. FANELLI: Yes.

15 FACILITATOR KERN: How are things sorting  
16 out in terms of the litigation timing? Do you have a  
17 feel for that?

18 MS. FANELLI: The litigation's still  
19 ongoing. I believe there is a court date for the  
20 Caltrans in February, and then in May for Zurich.

21 So there's ongoing -- litigation's ongoing.  
22 There's ongoing conversations. That's about all I can

23 say about that, but we are trying to get the decision  
24 document completed as soon as we can.

25 MS. BLUM: Do you think that court case

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1 will be open to the public? I think it would be quite  
2 interesting to sit in and listen to it.

3 MS. FANELLI: That's an interesting --

4 MS. BLUM: But I think it would be quite  
5 interesting.

6 MS. FANELLI: It might be. I don't know.

7 MS. BLUM: Would you find out at the time  
8 it comes up? That would be in San Francisco, you think,  
9 Eileen?

10 MS. FANELLI: The judge that we're  
11 currently assigned to actually presides at the courthouse  
12 in Oakland, the Federal Courthouse in Oakland. So I'm  
13 not sure if that -- if it's the same judge, it would be  
14 heard in Oakland.

15 But it's a new Federal Building by Twelfth  
16 Street.

17 MS. BLUM: Okay.

18 FACILITATOR KERN: It seems like 2011 is  
19 pretty jam packed --

20 MS. FANELLI: It is.

21 FACILITATOR KERN: -- with stuff.

22 MS. FANELLI: It's a challenge. We have a  
23 lot of work to do. We have several consultants  
24 supporting us as adjunct project managers to make sure  
25 that we get this work done. So there's many things going

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1 on in parallel. There's no question about it.

2 FACILITATOR KERN: Are there any other  
3 questions around this item 4A and B?

4 I think item 6 we might come back to, but  
5 let's go to item 5.

6 Agnes, do you have anything?

7 MS. FARRES: No.

8 FACILITATOR KERN: Okay. Thank you.

9 Thanks for all the work that you're doing  
10 with all the closures. I'm seeing all those things come  
11 by, the e-mails.

12 Item 6, we have a couple of things here,  
13 6B, we have certainly covered that. It seems like 2011,  
14 the next few months we've got a lot to do.

15 So it behooves us to have some coordination  
16 with our other regulatory agency. I'm just wondering if  
17 you've heard anything from -- in your discussions with  
18 DTSC.

19 MS. FANELLI: I talked to Denise yesterday  
20 as part of a -- sort of a regular on-call.

21                   She indicated to me that -- that she has  
22                   not been contacted by the RAB, so I think that it may be  
23                   worthwhile, if there's specific topics, specific  
24                   subjects, that that information be conveyed to her and  
25                   that might help her make some business decisions about

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1                   attending and who to send and what information, how --  
2                   how to best respond to the questions.

3                   FACILITATOR KERN:     Okay.

4                   MS. NEWTON:     So she needs questions to  
5                   participate now? Is that --

6                   MS. FANELLI:     She indicated to me that  
7                   they are still on furloughs. Different --

8                   MS. NEWTON:     Oh.

9                   MS. FANELLI:     Different staff are on  
10                  different furlough days. So she has an effort managing  
11                  all the work that has to be done.

12                  She's certainly not opposed to attending  
13                  and answering questions, but I think it would be helpful  
14                  if it was focused a little bit and not just general, if  
15                  there were focused questions or requests for specific  
16                  activities.

17                  For example, if you wanted specific  
18                  information on landfill E or Mountain Lake, to ask, and  
19                  then I think she would work to bring those appropriate



20 resources to the meeting.

21 At this point, we do have five different  
22 DTSC project managers working on different elements of  
23 the program, so I think the challenges for her is to --  
24 she can't bring them all, but to be able to answer any  
25 specific questions.

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1 It's a suggestion.

2 FACILITATOR KERN: Sure. I appreciate you  
3 having to speak for her, sort of. It's not necessarily  
4 up to you.

5 MS. FANELLI: No, but I asked her if she  
6 was able to attend. She struggles with those issues, but  
7 you she did say to me "well, you know, Doug has not  
8 called me. I have not been contacted by the RAB about  
9 questions."

10 "Can I tell him that?" And she said,  
11 "Sure."

12 So I'm letting you know that I think that  
13 might be possible. If there's specific sites that you  
14 want some detailed workshops or participation or  
15 information on to let her know that.

16 FACILITATOR KERN: Well, we have a much  
17 better idea of the schedule now. We had a little bit --  
18 we had some idea that this was going to be there and we

19 have a little bit of schedule.

20 So one of the things that's been really  
21 useful for RAB members in the past is to actually have  
22 discussions or some kind of information exchange so we  
23 can know what to ask about.

24 So if we -- those were some of the purposes  
25 of the daytime meetings, you know, we'd actually get to

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1 know what was going on before a whole document would come  
2 out, and then if the document has pretty much been  
3 reviewed along the way by DTSC, they're like already  
4 checked off on it, it's like we're way behind the gun and  
5 we don't -- there's not much for us to say. It's kind of  
6 an uphill battle.

7 So that would be the general nature, but  
8 we'll certainly struggle along and try to make some kind  
9 of contact with her, and I'm not sure she's going to know  
10 the technical part of it unless you know whether she  
11 would know the technical part of it or should we contact  
12 her project managers or --

13 MS. FANELLI: Well, I --

14 FACILITATOR KERN: Maybe you can ask her.

15 MS. FANELLI: I would. You know, I think  
16 she's open to if the RAB wants to have a workshop, wants  
17 to discuss technical elements of a particular project.

18                   If you prioritize which ones of those are  
19 the most important, I think she would be accommodating.

20                   MS. BLUM:     And are your working documents  
21 on Envirostore at DTSC?

22                   MS. FANELLI:   Anything we submit to DTSC  
23 generally shows up on Envirostore.

24                   MS. BLUM:     Would that be a formal way that  
25 we could forward information?   Since we're not really

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1           seeing DTSC, it's an involved partner.   I'm wondering how  
2 we get the advanced information that used to come to the  
3 RAB, if that would be a place that we could read the  
4 reports, the working documents.

5                   MS. FANELLI:   I believe that -- if we've  
6 made a submittal to DTSC, they post it on Envirostore.  
7 Not all documents, if there's a preliminary and  
8 incomplete.

9                   In that case, I would contact the project  
10 manager, or my project manager if there are particular  
11 issues.

12                   If you are interested in speaking to us or  
13 my staff or my consultants about a particular site, like  
14 we did have Geosyntec here and provided an overview of  
15 the work that they had done on landfill E, I'm happy to  
16 arrange for that and bring one back.

17 But it does take a little bit of advanced  
18 notice so I can make sure that they're available for the  
19 RAB meeting.

20 So Mountain Lake, when we're ready to get  
21 those documents pulled together and out, the analysis  
22 that has been done on dredging, if you're interested in a  
23 workshop or active sort of meeting on that, you can let  
24 me know or Denise know and I can arrange it with or  
25 without DTSC for you.

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1 FACILITATOR KERN: Considering that a  
2 draft decision document would come out on landfill E in  
3 about a month and a half or so, I would just check in  
4 with RAB members.

5 Does anybody have any idea at this table  
6 what is going to be proposed in that document?

7 MS. MONAGHAN: No.

8 FACILITATOR KERN: What it might look like  
9 or -- I don't.

10 MS. FANELLI: I don't know if that's a  
11 completely true statement, because when I was here last  
12 time talking about it, the feasibility study from 2003  
13 had a cover alternative, and I've been fairly consistent  
14 saying that the current proposal's a cover alternative.

15 FACILITATOR KERN: Absolutely correct. No  
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16 doubt about that, but --

17 MS. KRAMER: Groundwater issues or  
18 underground water that didn't -- was that ever resolved  
19 or --

20 FACILITATOR KERN: We have been raising  
21 that issue and the issue of the creek design along the  
22 side and wondering what -- I mean, that would be the  
23 nature of our questions, as the questions that we have  
24 been raising all along.

25 MS. FANELLI: The hydraulic analysis

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1 stands as presented. They looked at the regional flow  
2 and have documented that a lot of the water that we see  
3 in the waste is coming in through the pipe that is  
4 broken, and it's basically acting as a sponge. So that  
5 information hasn't changed.

6 We do not have really a design of creek  
7 channel. The remedial plan is to cover, to replace the  
8 creek channel along the side and leave the site ready so  
9 that it can be used for future recreational use and  
10 remediation, and again, I am not actively involved in the  
11 ball field stuff in that design and schedule is -- is  
12 preliminary.

13 But that design will likely -- the details  
14 of the design of the creek and the cover, some of them

15 enough to be able to complete the CEQA analysis would be  
16 in the RAP documents, but some of the details likely  
17 wouldn't be completed till after the RAP is done.

18 FACILITATOR KERN: Right, and we've kind  
19 of run up against this as a little bit of a challenge for  
20 us in the past.

21 Not knowing some of the details have  
22 been -- I think has led to sort of a trial and error kind  
23 of way of going about the design, and I think given how  
24 long that we have been looking at this site, landfill E,  
25 to have a document coming out about a month and a half

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1 and not know what it's really going to -- I don't think  
2 that's -- that's right.

3 I mean, we should know details, because  
4 it's pretty complex.

5 MR. BUDROE: In other words, it would be  
6 good if the Trust was a little bit more forthcoming,  
7 doing it faster rather than trying to make this  
8 essentially a pro forma review, where it's like here,  
9 here's eight yards of documents. Look it over in no time  
10 flat. You know, come back with something.

11 FACILITATOR KERN: Well, the details  
12 matter on this. I mean, say it's going to be a cover,  
13 there could be a lot of variations on that, and I think

14 you could -- you know, it would be not only a comfort,  
15 but something that people would really like to know when  
16 it comes to what's being proposed. It's just natural.

17 So I'm not sure. If we asked DTSC, would  
18 they know more of what the details are somehow or --

19 MS. FANELLI: I guess the question I have  
20 is how much you mean by "details"? And we might have a  
21 different definition.

22 On one level, I think some of the details  
23 you're looking for may not exist till after the RAP is  
24 completed in terms of -- of the design documents.

25 But that said, if the interest is to have a

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1 workshop and an update, we had Geosyntec here before with  
2 the data. We talked a little bit about the groundwater,  
3 hydraulic analysis and that we're proposing a cover  
4 alternative and we can come back and we can provide  
5 additional information based on where we are in the  
6 analysis, and we can do that at your January meeting  
7 prior to issuing the updated feasibility study and the  
8 Draft RAP.

9 FACILITATOR KERN: I think that would be  
10 appreciated by people to know, for example, things  
11 like -- you know, you could have a soil cover, just put  
12 soil on it.

13                   You could -- there have been discussions  
14 around passive gas collection, what would that look like.  
15 Would there be an impermeable layer. Those kinds of  
16 details are things that are important given that that  
17 will be a play field and how are we going to prevent  
18 exposure to people.

19                   MS. FANELLI:     Mm-hmm.

20                   FACILITATOR KERN:    I think those are  
21 reasonable details that people would want to know about.

22                   MS. FANELLI:     Sure. I would agree.

23                   MS. MONAGHAN:    Can I ask a question  
24 about -- I don't understand Denise using the word  
25 "workshop."

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1                   Is that what I would call presentation or  
2 is it -- I don't know what it is.

3                   FACILITATOR KERN:    Yeah. I'm not sure I  
4 know, either.

5                   MS. MONAGHAN:    So what I would be looking  
6 for from DTSC, if we're going to be a meeting in January  
7 about landfill E and talk about some of the design  
8 alternatives and issues.

9                   What I'm looking for from DTSC are the  
10 things that I'm worried about in that design process and  
11 this is how I think we're going to get to the answers,



12 which is the kind of discussions and input that we used  
13 to get from Bob. So I'm looking for that to come back.

14 MS. NEWTON: You want to hear DTSC's  
15 concerns. Is that what you mean?

16 MS. MONAGHAN: Yeah. They're in charge of  
17 the project in that respect, right.

18 So I want to know what their issues are  
19 with the -- I know that we're all working toward the same  
20 end, but there's things about it that I don't know how to  
21 ask the right question, and DTSC used to fill in a lot of  
22 those blanks about these are the real issues on this  
23 project.

24 MS. NEWTON: Maybe they just feel that  
25 they're going to deal with those concerns on their own.

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1 MS. MONAGHAN: Well, maybe.

2 MS. NEWTON: That's the feeling I get that  
3 they're going to pursue that without informing us. Which  
4 they can do.

5 I guess it's going to be up to us to be  
6 more proactive and take that information from them.  
7 Rather than just let them share their concerns with us,  
8 we're going to have to get them to tell us what we as  
9 citizens -- as neighborhood people should be concerned  
10 about.

11 MS. MONAGHAN: Yeah.  
12 MS. NEWTON: That's what our job is.  
13 MR. BUDROE: Unfortunately, share used to  
14 be in DTSC's vocabulary.  
15 MS. NEWTON: In your opinion, is that a  
16 budgetary thing?  
17 MR. BUDROE: No. I'd say it's a  
18 management attitude. DTSC used to be operative with the  
19 RAB. Now it's a shut up and take it attitude.  
20 Personally, I think it stinks.  
21 MS. MONAGHAN: I think we need to  
22 establish what kind of workshop.  
23 FACILITATOR KERN: I think we do.  
24 Okay. I'll just leave her a message or  
25 call her up or both. But it also -- I'm wondering if

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1 there are other issues that people have with -- I mean,  
2 given that there are some seven sites with seven  
3 different decision documents that are coming up, maybe  
4 six documents, but seven sites, that's a lot of  
5 interaction potentially with our regulators.  
6 And so in general, I would like to be able  
7 to talk to her about how can we work this so we get our  
8 work done and have a reasonable interaction.  
9 MS. NEWTON: Well, maybe if we schedule

10 these things, you know, we make that the premise of our  
11 meeting or the number one project and not every month,  
12 but every other month or something like that, and we  
13 dedicate the meeting to DTSC.

14 We rely on them. I always did. I thought  
15 that was the most important -- those are the people that  
16 are helping us represent our communities in making the  
17 right decision, and if we don't -- we don't always know  
18 what questions to ask and it is important to get -- to  
19 hear their feedback.

20 Maybe if we narrow it down to every other  
21 month or something like that and make them the focus of  
22 our meeting. It would be worth it to me.

23 MS. KRAMER: But then we'll run through  
24 the year without getting through all the projects if we  
25 did it every other month. It would have to be every

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1 other month next year.

2 MS. NEWTON: I don't know that we need  
3 them every month.

4 FACILITATOR KERN: It just becomes a lot  
5 more challenging to know what questions to ask to even  
6 know what's being really proposed.

7 MS. NEWTON: If we meet with them every  
8 other month, it would at least -- we can always ask them

9 questions and get responses without them being here.

10 If being here is a budgetary issue for them  
11 and they don't have the manpower to do that, at least if  
12 we met with them more frequently -- we haven't met with  
13 them in a year, I would say.

14 Do you think that's accurate?

15 FACILITATOR KERN: You know, budgetary  
16 considerations aside, these are multi-million dollar  
17 sites. So I think we should be able to figure out some  
18 way to have an interaction with them.

19 If that means going over to their offices  
20 or some kind of way of doing it, we definitely need to  
21 figure out some kind of interaction for all these RAPs  
22 coming up, so --

23 MR. KETCHAM: What's your level of  
24 confidence that they understand that this dissatisfaction  
25 exists? Do they know how everyone here feels?

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1 FACILITATOR KERN: Well, the normal  
2 process for the last sixteen years has been heavy  
3 interaction.

4 MS. NEWTON: Prior to this year. Prior to  
5 this past calendar year.

6 MR. BUDROE: The year and a half.

7 MR. KETCHAM: When they've been here, my

8 memory is there hasn't really been a lot of substantive  
9 discussion with them.

10 MR. CHESTER: The last was the selenium  
11 issue.

12 MS. NEWTON: That's our point. You  
13 haven't seen them here. They were very involved in our  
14 discussions when I first joined the RAB. They were a big  
15 part of our discussions.

16 MR. KETCHAM: I guess my point is that I  
17 think a really good first step would be to just make sure  
18 they understand that there are expectations from this  
19 group that are currently not being met and to see what  
20 their response to that would be.

21 FACILITATOR KERN: I think that's a pretty  
22 reasonable.

23 One of the things that we would do  
24 typically during daily meetings is the regulators had  
25 more of a -- more casual conversation, because it wasn't

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1 being recorded.

2 So we don't really have any -- there's none  
3 of that any more. So all we have is this kind of formal  
4 meeting to do it.

5 MR. KETCHAM: Which isn't what we want.

6 FACILITATOR KERN: Exactly.  
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7 MR. KETCHAM: We want a better information  
8 flow, discussion, collective thinking through issues and  
9 that kind of stuff.

10 FACILITATOR KERN: So having a workshop  
11 and then having maybe some visit over at their office,  
12 meeting with their project managers. I might -- I might  
13 suggest that, as well to get some information going.

14 MS. BLUM: I don't want to be negative on  
15 this, but there may be some tactful way that you can  
16 suggest to Denise that we're really unsure of this  
17 process, as well, since we're no longer for this long  
18 period of time part of the advisory process, which is  
19 what our role is.

20 So we're not really clear on how decisions  
21 are being made since we're no longer an active partner,  
22 and that we're not -- that we -- we need to be more  
23 involved to feel like -- as Barbara pointed out, that the  
24 best interest of the community and the Presidio is taken  
25 care of, which is our role as an advisory.

1 So if there's some way that she can be  
2 creative and think about this. I mean, electronic  
3 communications are so ubiquitous, it seems to me that we  
4 should, if there is a desire, be able to find a way  
5 through this budgetary problem which really shouldn't

6 have anything to do with this, in my opinion.

7 FACILITATOR KERN: Mm-hmm. I agree that  
8 there should be a number of ways that we can bridge the  
9 gap and given this big workload coming up for next year,  
10 there should be motivation all around to get it done.

11 MS. BLUM: Right.

12 FACILITATOR KERN: Yes.

13 MS. BLUM: I think we've also found that  
14 some of these can be very expensive if we don't do the  
15 work up-front.

16 FACILITATOR KERN: Well, I think that's  
17 right. You bring up a really good point. If we receive  
18 a decision document that doesn't include some things that  
19 we might even like to see in it, then that makes that go  
20 back to the drawing board and, you know, it's a lot less  
21 efficient that way.

22 So part of our process is having the Trust  
23 and DTSC understand what we might be interested in seeing  
24 in the document prior to it coming out, and then -- then  
25 it would be kind of a -- well, you kind of understood

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1 what we were thinking, but this is really more of a  
2 tweaking rather than a wholesale you missed completely  
3 something that was important to us.

4 Okay. Well, we'll make an effort and we'll  
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5 report back next year.

6 MR. CHESTER: I was wondering from the  
7 Trust perspective since from the RAB's perspective the  
8 RAB's not getting the feedback and interaction with DTSC.

9 From the Trust side, how are things going  
10 with DTSC, with the five project managers and large  
11 workload?

12 I know that's a general question, but that  
13 seemed to also be what -- was it Mr. Boggs, when he was  
14 here, he would sometimes hear the interactions between  
15 DTSC and the Trust as they worked out solutions to the  
16 various issues, which we don't -- from my perspective, it  
17 just seems like everything is moving smoothly.

18 There's no -- the oversight nature of DTSC  
19 is missing, but maybe from the Trust side, you could --  
20 is there sites that you guys are kind of getting -- is  
21 there any resistance from DTSC on anything or are things  
22 moving forward?

23 MS. FANELLI: I'm not sure how to  
24 interpret your question exactly.

25 MR. CHESTER: I guess do you feel that

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1 there's an oversight?

2 MS. FANELLI: Oh, most definitely DTSC is  
3 an oversight agency.



4 MR. CHESTER: On your projects here.

5 MS. FANELLI: Most definitely. And we are  
6 following the CERCLA process for them and we call them  
7 for guidance. The five project managers have been  
8 working well for us.

9 Are you asking do we always like their  
10 decision? No. We're not necessarily always in  
11 agreement, but obviously we go to the agencies for  
12 guidance.

13 That said, we don't have -- because we have  
14 so many sites ongoing, we don't actually have the same  
15 structure we used to have.

16 We don't have meetings in our offices once  
17 a week or once a month with project managers all sitting  
18 around the table. Each project is moving somewhat  
19 independently.

20 I personally don't even participate in the  
21 technical discussions on all of the projects because I  
22 don't have the time. I have other responsibilities, and  
23 that's what my PMs are there to do.

24 So meetings have been sometimes in the  
25 field. Often they happen over the phone. Sometimes they

1 happen in DTSC's offices. It's a variety of ways that we  
2 share preliminary information and we ask for guidance to

3 follow and complete documents that are available and  
4 ready for the public, because DTSC has issued them, has  
5 approved them to issue them for public review in that  
6 process.

7 MR. CHESTER: Well, I appreciate the  
8 response, because that's just some of the things -- well,  
9 just hearing the oversight nature, since DTSC isn't here,  
10 it's good to hear.

11 MS. FANELLI: And we do. We have about  
12 five or more folks. They're there -- their project  
13 managers are Medi, Sunga who you've met. At fillsite 1,  
14 landfill 2. She's the fillsite project manager assigned  
15 to Mountain Lake.

16 Cynthia Laskey. She's the Baker Beach 1A  
17 and to Merchant Road.

18 We have a fellow who I've never personally  
19 met, Matt Wong, who is doing lead-based paint with Ryan  
20 Mia.

21 We actually have a much broader group, and  
22 we have been -- Denise has been bringing in public  
23 affairs staff and public affairs staff from DTSC to help  
24 plan outreach and meetings.

25 So I think that we're really looking to

2 under public outreach and has been thinking about it.

3 In particular, we've just been discussing  
4 with DTSC's guidances for Mountain Lake. And so if  
5 there's interest in outreach before RAPs are issued, I  
6 would certainly contact her and let her know that.

7 FACILITATOR KERN: There is absolutely a  
8 huge amount of interest --

9 MS. FANELLI: I'm sure there is --

10 FACILITATOR KERN: -- in Mountain Lake --

11 MS. FANELLI: -- by many people.

12 FACILITATOR KERN: Many people, and of  
13 course that -- that would be shocking to me if DTSC  
14 didn't know that, because -- well, it is -- the whole  
15 thing is a little bit surprising that she's actually  
16 requested a phone call as if we weren't concerned or  
17 interested.

18 But, you know, that's not a problem to make  
19 up.

20 MS. CHEEVER: Maybe she should get the  
21 transcript of this meeting.

22 FACILITATOR KERN: Right. Well, if  
23 somebody was here, they would know what our concerns  
24 were.

25 So we're going to -- we're going to tackle

1 this and be ready to go for the new year. I'll let  
2 people know via e-mail what I find out, and --

3 MS. NEWTON: With your phone call.

4 FACILITATOR KERN: With my call, my own  
5 phone call from jail.

6 All right. Are there any other items with  
7 respect to DTSC's participation?

8 Well, it's actually almost precedent  
9 setting that we had to put this on the agenda, so the  
10 first time in -- in our history, I think.

11 7, item 7, public comments. All right.  
12 Any action items? We currently have an action item,  
13 trying to encourage DTSC to participate with us in some  
14 fashion, via a phone call or other communications.

15 MS. MONAGHAN: And we'd like to request a  
16 workshop.

17 FACILITATOR KERN: Indeed a workshop, and  
18 it seems like --

19 MS. NEWTON: On landfill E.

20 FACILITATOR KERN: All of these -- all of  
21 these sites, we can begin to schedule with them if that's  
22 what we need to do, some sort of formal meeting.

23 But it's -- it's really quite preposterous  
24 to kind of put out a meeting when we don't even know  
25 where things are and we can't really talk about the

1 detail. So it's all a little bit difficult, but we can  
2 work on that.

3 MS. BLUM: It might behoove us to do a  
4 little research into what the directives are of DTSC in  
5 regard to their responsibility in public outreach.

6 FACILITATOR KERN: Well, we know that we  
7 had a situation in the past where it made sense for RAB  
8 members to talk regularly with DTSC and most things would  
9 be worked into the documents, but it's still well within  
10 the law that the document is put out without any of our  
11 input and we just comment --

12 MS. BLUM: React.

13 FACILITATOR KERN: -- via written comment  
14 and a public meeting.

15 Those -- that whole process is out there.  
16 That's not necessarily the most efficient, and it's not  
17 really the way that you can have the most influence, I  
18 would say.

19 So it's really trying to bring us together  
20 with DTSC a little bit more so we can understand what --  
21 where they are and have a little bit more influence on  
22 the document prior to its coming out.

23 MS. MONAGHAN: Well, keeping up with the  
24 schedule I think is critical for the discussion because  
25 if you go back to the old, old way, which was they submit

1 a document, we tear it apart and then they have to redo  
2 it, where we did some RAP things four or five times  
3 because they were out the door, the whole idea of  
4 starting this collegial discussion at the beginning was  
5 so that everybody had their input, and when the document  
6 came out, we were all on board.

7 FACILITATOR KERN: Exactly.

8 MS. MONAGHAN: That's how we got to where  
9 we are, monitoring it. I don't know how you get from  
10 here to the end without that process.

11 FACILITATOR KERN: Dig in and see what  
12 progress we can have.

13 MS. MONAGHAN: Thank you.

14 FACILITATOR KERN: Are there any other  
15 action items besides six workshops and multiple phone  
16 calls and meetings?

17 MS. FANELLI: If there are specific  
18 comments to my staff, you should also feel free to e-mail  
19 them or provide them, as well.

20 I have to say I don't get calls from the  
21 RAB, either, in terms of any specific comments or  
22 requests for information to come forward.

23 So I'm more than happy -- we talked about  
24 the landfill E in January, so at this point, I'm not sure  
25 where our documents would be in the process, but I can

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1 make arrangements to have an update on where we are in  
2 our process.

3 FACILITATOR KERN: I think part of it  
4 responding to you is just because we don't -- I -- I'll  
5 speak for myself. I don't really know what I used to  
6 know about the sites and I don't particularly like  
7 admitting that in public on the record, but my questions  
8 will be -- rather than informed questions, they may just  
9 be shooting in the dark. It's just going to be pure  
10 let's see.

11 I don't even have any idea of what's going  
12 to happen at landfill E except it's going to be a cover.  
13 So I can just ask, you know, twenty questions of that and  
14 we can start that kind of a process if that's --

15 MS. NEWTON: That's not necessary, right,  
16 Eileen? You can give us more details.

17 MS. FANELLI: Surely. We're looking at  
18 basically a soil cover as was proposed. We're looking at  
19 a landfill gas passive elect system. The elements of the  
20 F/S are not that quite significant for a change.

21 MS. NEWTON: If we made that a main agenda  
22 item in January, is there some way we could get something  
23 before the meeting so you can review it and be prepared  
24 to ask I necessity questions before we're here.

25 MS. FANELLI: Yeah. I'll see what we have

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1 that would be informative and not too thick and not  
2 too -- you know, that is appropriate for given where we  
3 are in the process.

4 MS. NEWTON: Right.

5 MS. FANELLI: You know, you could  
6 understand that working draft, working documents, we're  
7 not going to broadly necessarily put things out on the  
8 street, but we can disclose what we're working on.

9 We're not about being secret, and we can  
10 share that information and build on what we've shown  
11 before.

12 FACILITATOR KERN: I think with landfill  
13 E, it goes beyond the remediation. We have a  
14 responsibility to -- we know what the reuse is going to  
15 be, and we need to know how the -- it seems like the cap  
16 or the cover is related to the reuse.

17 So knowing some of the details of that and  
18 how those things would interact, I think it's pretty  
19 important, and I would like to know what people are  
20 thinking about it with respect to all those issues.

21 There are homes nearby, and it just  
22 seems --

23 MS. NEWTON: But that's not the reuse.  
24 Those homes are always going to be nearby. That's not  
25 going to be what they're going to reuse it for.



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1                   If that's a concern, that's a concern.  
2           That has nothing to do with what the future plans are.  
3           That's part of the neighborhoods that live there and the  
4           people.

5                   FACILITATOR KERN:    I was being a little  
6           bit obtuse, but depending on how the cover was designed  
7           and then what was put on top of it to create the field,  
8           in certain situations, that could cause gas to migrate  
9           laterally.

10                   MS. NEWTON:    And that would be DTSC's  
11           concern, would it not?

12                   FACILITATOR KERN:    I would think, but  
13           we're not talking to them as much as we need to.

14                   MS. NEWTON:    Right, but if we knew the  
15           details and you had concerns about those details with  
16           regard to future use, those were the kind -- that's the  
17           kind of question that you could pose to DTSC.

18                   FACILITATOR KERN:    Right.  It's simply a  
19           matter that people can make mistakes.  We have the  
20           ability to ask questions and we'll need to do that so we  
21           don't have the field catch on fire or various other  
22           things, and, you know, we can laugh about it, but  
23           landfills have transmitted gas to homes.  They've blown  
24           up.

25                   We've seen shoreline catch on fire.

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1       There's all kinds of stuff, and we need to be able to ask  
2       the questions in advance. That's all.

3               MR. BUDROE:    Yeah. As far as landfill gas  
4       goes, even this administration will be concerned about  
5       essentially greenhouse gas generator, potentially. So I  
6       have no doubt that the next administration's going to be  
7       even more concerned, so that's not a trivial point.

8               FACILITATOR KERN:   Well, we'll -- we're  
9       going to struggle through this and figure out a way to  
10      communicate our questions to the Trust and DTSC in  
11      workshops, in lists and phone calls.

12              Are there any other items tonight for the  
13      good of the order?

14              Thanks very much to our agency folks for  
15      coming out tonight. I wish everybody a great holiday  
16      season, and I will communicate what I find out about  
17      these things prior to the end of the year, but we won't  
18      be meeting at the committee time, so we must come back  
19      together as a group in January.

20              So without further adieu or objection,  
21      meeting adjourned, everyone.

22              (The meeting concluded at 8:39 PM).

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1       STATE OF CALIFORNIA       )  
2       COUNTY OF SAN FRANCISCO    )

3  
4               I, the undersigned, hereby certify that the  
5       discussion in the foregoing arbitration was taken at the  
6       time and place therein stated; that the foregoing is a  
7       full, true and complete record of said matter.

8               I further certify that I am not of counsel or  
9       attorney for either or any of the parties in the  
10      foregoing arbitration and caption named, or in any way  
11      interested in the outcome of the cause named in said  
12      action.

13  
14                               IN WITNESS WHEREOF, I have  
15                               hereunto set my hand this  
16                               \_\_\_\_\_day of \_\_\_\_\_,  
17                               2010.

18                               -----  
19                               MARK I. BRICKMAN CSR 5527

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